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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9961

DIRECTING THE CIVIL SERVICE COMMISSION TO MAKE DETERMINATIONS WITH RESPECT TO THE REEMPLOYMENT RIGHTS OF PERSONS WHO LEFT THE FEDERAL SERVICE TO SERVE IN THE ARMED FORCES OR THE MERCHANT MARINE

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States and the Civil Service Act of January 16, 1883 (22 Stat. 403), and as President of the United States, it is ordered that the last sentence of section 01.2 (c) of Executive Order No. 9830 of February 24, 1947, entitled "Amending the Civil Service Rules and Providing for Federal Personnel Administration," be, and it is hereby, amended to read as follows:

"The Commission shall also determine the applicability, in general and in specific cases, of the reemployment provisions of (1) section 8 of the Selective Training and Service Act of 1940 (54 Stat. 890) as amended (50 U. S. C. App. 308), to persons who left the Federal service to serve in the armed forces of the United States, and (2) section 2 of the act of June 23, 1943, 57 Stat. 162, as amended (50 U. S. C. App. 1472), to persons who left the Federal service to serve in the merchant marine; and the Commission may issue such regulations or instructions as it may deem necessary or appropriate for carrying out the said reemployment provisions."

HARRY S. TRUMAN

THE WHITE HOUSE,
May 19, 1948.

[F. R. Doc. 48-4640; Filed, May 20, 1948;
10:07 a. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 3—AWARD OF FELLOWSHIPS IN METEOROLOGY

PART 4—FELLOWSHIPS IN GEODETIC SURVEYING, MAP AND CHART PRODUCTION AND HYDROGRAPHIC SURVEYING FOR CITIZENS FROM OTHER AMERICAN REPUBLICS

REVOCATION OF PARTS

Parts 3 and 4 (15 CFR, 1944 Supp., 3.1-3.6 and 4.1-4.7) are hereby revoked.

Applicable regulations regarding these fellowships will be found in Title 15, Chapter V, Part 506 (*infra*), and Title 33, Chapter V, Part 520 (*infra*).

[SEAL] WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4595; Filed, May 20, 1948;
8:49 a. m.]

**Chapter I—Bureau of the Census,
Department of Commerce**

PART 40—TRAINING GRANTS IN CENSUS PROCEDURES

Part 40, Chapter I, Title 15 (15 CFR, 1944 Supp., Part 40) is hereby amended by revoking §§ 40.1 to 40.7 and substituting the following:

Sec.

- 40.1 Type of grant.
- 40.2 Qualifications.
- 40.3 Award of grants.
- 40.4 Allowances and expenses.
- 40.5 Duration of grants.

AUTHORITY: §§ 40.1 to 40.5, inclusive, issued under R. S. 161, 53 Stat. 1290, 57 Stat. 281; 5 U. S. C. 22, 22 U. S. C. 501, 502.

§ 40.1 *Type of grant.* Grants shall be of the combined interne-training and training-in research type, and may include any or all of the following courses:

(a) Conference courses designed to provide the trainee with adequate background information on (1) the organization and administration of the United States Bureau of the Census, (2) the sources of statistics of various kinds in the United States, (3) the nature and scope of periodic censuses, and (4) the relation of censuses to other statistical data collected and analyzed by U. S. agencies.

(b) Seminars, laboratory exercises, and observation of work in the Census Bureau and other agencies of detailed topics of interest to the trainee such as (1) preparation of census questionnaires, (2) methods of field enumeration, (3) procedures for editing and coding statistical forms, (4) use of mechanical equipment, (5) definition of the labor force, (6) methods of classifying industrial and business establishments, (7) classification of imports and exports, (8) techniques of making inter-censal estimates of population, (9) sampling procedures, and (10) other topics.

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FEDERAL REGISTER

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(c) Formal courses at a college or university as may be selected by the Director of the Bureau of the Census to supplement the seminars and conference-courses.

(d) Such field training and special research as appears advisable to the Director of the Census.

§ 40.2 Qualifications. (a) To be eligible for a census training grant the applicant must be:

(1) A bona-fide citizen of one of the American Republics, other than the United States.

(2) Able to speak, read, write, and understand the English language.

(3) Able to give acceptable evidence that he has successfully completed the equivalent of a four-year university course, and that he has had some additional training or experience in statistics, economics, demography, or other field of work related to the type of census or other statistical training which he de-

sires to obtain in the United States. Equivalent experience, as determined by the Director of the Census, may be substituted for the specified university training.

(4) Physically able to undertake the activities incident to the course of training and free from communicable diseases.

(5) An employee of an agency under governmental or quasi-governmental jurisdiction in his country who will be expected to re-enter his field of work on return to his country following training in the United States.

(6) Recommended for census training by a responsible official of his government who will also indicate (i) the manner in which it is proposed to make use of the training received by this applicant, and (ii) the proposed support of the applicant's dependents, and other expenditures which his government expects to make in connection with the grant.

(b) Preference will be given to those applicants who are employees of the official agency which is conducting or is expected to conduct activities in the field of national censuses or other large-scale collection, compilation, analysis and publication of statistics.

§ 40.3 Award of grants. (a) The award of training grants will be made on the basis of the qualifications of the candidates, to be determined by the Director of the Bureau of the Census. Notification of the award will be transmitted through the Chief of the Diplomatic Mission of the United States in the country of residence of the candidate.

(b) The letter of award will specify the place, type and duration of training; any allowances and travel authorization; the recommended date of arrival in the United States; and other pertinent instructions and authorizations.

§ 40.4 Allowances and expenses. Allowances and expenses shall be as provided in State Department regulations given in 22 CFR 1944 Supp., 28.1-28.12, and as provided in Department of Commerce Administrative Order No. 202-3.¹

§ 40.5 Duration of grants. Grants may be awarded for periods of varying length, not exceeding one 12-month period of actual training and research, and may be extended for not exceeding the same periods in the manner described under § 40.3 and subject to the availability of appropriations. Grants may be cancelled for cause by the Director of the Census, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. The Director of the Census may subsequently amend the program and duration of the grant if in his opinion such action would be in the interest of obtaining training or research better suited to the needs and capabilities of the trainee than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Com-

¹ Not filed with the Division of the Federal Register.

merce and the Secretary of State, or the duly authorized representative of the Secretary of State.

[SEAL]

J. C. CAPT,
Director.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4586; Filed, May 20, 1948; 8:49 a. m.]

Chapter II—National Bureau of Standards, Department of Commerce

PART 255—FELLOWSHIPS IN LABORATORY STANDARDIZATION AND TESTING FOR QUALIFIED CITIZENS OF OTHER AMERICAN REPUBLICS

Sec.	
255.1	Type of fellowships.
255.2	Qualifications.
255.3	Award of fellowships.
255.4	Allowances and expenses.
255.5	Progress reports.
255.6	Duration of fellowships.
255.7	Official notification.

AUTHORITY: §§ 255.1 to 255.7, inclusive, issued under R. S. 161, 53 Stat. 1290, 57 Stat. 281; 5 U. S. C. 22, 22 U. S. C. 501, 502.

§ 255.1 Type of fellowships. Fellowships shall be of the combined interne-training and training-in-research type, and may include any or all of the following courses:

(a) Orientation courses consisting of lectures and conferences at the National Bureau of Standards pertaining to laboratory standardization and testing.

(b) Practical laboratory training in various branches of physics, chemistry, and engineering research, under the direction of the National Bureau of Standards, which will include the usual subdivisions of physics (weights and measures, heat, optics, mechanics, atomic physics, electrical measurements and radio) and also technologic applications in research and testing on metals, rubber, leather, paper, textiles, plastics, and clay and silicate products.

(c) Observation and study in such other laboratories within the continental United States as may be selected by the Director of the National Bureau of Standards.

(d) Courses of instruction or research assignments supplementing the practical laboratory training, in universities or colleges selected by the Director of the National Bureau of Standards.

§ 255.2 Qualifications. Each applicant selected for a fellowship shall be:

(a) A citizen of an American republic other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease, physical deformity or disability that would interfere with the proper pursuit of training, research, or any other activity or work incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possessing intellectual ability and suitable personal qualities; and

(e) In possession of acceptable evidence that he has successfully completed the equivalent of a four-year university course in a recognized university, college or other institution of learning, with some training or experience in the field of activity which he desires to pursue. Equivalent experience may be substituted for the university training in the case of candidates who are otherwise specially well qualified.

§ 255.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the National Bureau of Standards, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 255.4 *Allowances and expenses.* Allowances and expenses shall be as provided in State Department regulations given in 22 CFR 1944 Supp., 28.1-28.12, and as provided in Department of Commerce Administrative Order No. 202-3.¹

§ 255.5 *Progress reports.* Applicants awarded fellowships under the regulations in this part shall submit written reports of progress in training and research at such intervals as the Director of the National Bureau of Standards may determine.

§ 255.6 *Duration of fellowships.* Fellowships may be awarded for periods of varying length, not exceeding one 12-month period of actual training and research and may be extended for not exceeding the same periods in the manner prescribed under § 255.3 and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the National Bureau of Standards, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 255.7 *Official notification.* Each applicant selected by the Director of the National Bureau of Standards and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of fellowship, outline the program of training and research, and state the allowances authorized: *Provided, however,* That the Director of the National Bureau of Standards may subsequently amend the program and duration of the fellowship if in his opinion such action would be in the interest of obtaining training and research better suited to the needs and capabilities of the fellow than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if

necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

[SEAL] E. U. CONDON,
Director,
National Bureau of Standards.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4587; Filed, May 20, 1948;
8:49 a. m.]

Chapter III—Office of Domestic Commerce, Bureau of Foreign and Domestic Commerce, Department of Commerce.

PART 310—FELLOWSHIPS IN FOREIGN TRADE STATISTICS FOR QUALIFIED CITIZENS OF OTHER AMERICAN REPUBLICS

REVOCATION OF PART

Part 310 (15 CFR, 1944 Supp., 310.1-310.7) is hereby revoked. Applicable regulations regarding fellowships to be awarded by the Bureau of Foreign and Domestic Commerce are contained in Title 15, Chapter 3, Parts 323 and 362 (*infra*).

[SEAL] WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4588, Filed, May 20, 1948;
8:49 a. m.]

PART 323—FELLOWSHIPS IN NATIONAL INCOME AND INTERNATIONAL BALANCE OF PAYMENTS STATISTICS FOR QUALIFIED CITIZENS OF OTHER AMERICAN REPUBLICS

OFFICE OF BUSINESS ECONOMICS

- Sec.
323.1 Type of fellowship.
323.2 Qualifications.
323.3 Awards of fellowships.
323.4 Allowances and expenses.
323.5 Progress reports.
323.6 Duration of fellowships.
323.7 Official notification.

AUTHORITY: §§ 323.1 to 323.7, inclusive, issued under R. S. 161, 53 Stat. 1290, 57 Stat. 281; 5 U. S. C. 22, 22 U. S. C. 501, 502.

§ 323.1 *Type of fellowship.* Fellowships shall be of the interne-training type and may include instruction and practical training in all phases of the collection, processing and utilization for analytical purposes of national income and international balance of payments statistics.

Fellows may be assigned for study and training in the Washington, D. C., office of the Office of Business Economics, and in other offices whose work is concerned with national income and international balance of payments statistics. Fellows may also be afforded special opportunities for observation or research in other institutions designated by the Office of Business Economics.

§ 323.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A bona fide citizen of an American republic other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease, and from any disease or disability that would interfere with the proper pursuit of studies or training or the performance of any activity or work incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possess intellectual ability and suitable personal qualities; and

(e) Actively engaged in a responsible capacity in the work of a governmental agency that is charged with the collection, processing and analysis of national income and international balance of payments statistics (or have been so engaged at any time during the past five years); or similarly engaged in comparable technical or professional work in a private agency or organization.

§ 323.3 *Awards of fellowships.* Fellowships shall be awarded by the Director of the Office of Business Economics with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 323.4 *Allowances and expenses.* For applicable provisions, see 22 CFR 1944 Supp., 28.1-28.12, "Payments to and on Behalf of Participants in the Cultural Cooperation Program"; and Department of Commerce Administrative Order No. 202-3.¹

§ 323.5 *Progress reports.* Applicants awarded fellowships shall submit written reports of progress in studies and training and other reports at such intervals as the Director of the Office of Business Economics may determine.

§ 323.6 *Duration of fellowships.* Fellowships may be awarded for periods of varying length, not exceeding one year of actual studies and training in the United States. Fellowships may be cancelled for cause by the Director of the Office of Business Economics, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 323.7 *Official notification.* Each applicant selected for a fellowship by the Director of the Office of Business Economics, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified through diplomatic channels. The notification shall state the duration and type of fellowship, outline the course of studies and training, name the place or places of studies and training, and state the allowances authorized: *Provided, however,* That the Director of the Office of Business Economics may subsequently amend the program of studies and training, and the duration of the fellowship

¹ Not filed with the Division of the Federal Register.

if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the fellow than that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

[SEAL] M. JOSEPH MEEHAN,
Acting Director,
Office of Business Economics.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4589; Filed, May 20, 1948;
8:49 a. m.]

PART 362—AWARDS FOR TRAINING IN THE FIELD OF INTERNATIONAL TRADE FOR QUALIFIED CITIZENS OF OTHER AMERICAN REPUBLICS

OFFICE OF INTERNATIONAL TRADE

Sec.

- 362.1 Type of award.
- 362.2 Qualifications.
- 362.3 Granting of awards.
- 362.4 Allowances and expenses.
- 362.5 Progress and other reports.
- 362.6 Duration of awards.
- 362.7 Official notification.

AUTHORITY: §§ 362.1 to 362.7, inclusive, issued under R. S. 161, 53 Stat. 1290, 57 Stat. 281; 5 U. S. C. 22, 22 U. S. C. 501, 502.

§ 362.1 *Type of award.* Awards shall be of the interne-training type to give training to Latin American government employees in American business methods, commercial reporting, and the methods used by the United States Government in the facilitation of international trade.

Award holders may be assigned for study and training in the Washington, D. C., offices of the Office of International Trade, in other offices of the Department of Commerce whose work is concerned with foreign trade statistics and in one or more of the regional and district offices of the Department of Commerce in the United States. Award holders may also be afforded special opportunities for observation or research in other institutions designated by the Office of International Trade.

§ 362.2 *Qualifications.* Each applicant elected for a training award must be:

(a) A bona-fide citizen of one of the American Republics other than the United States;

(b) In possession of a medical examination certificate issued by a licensed physician within 60 days of the date of the application, describing the applicant's physical condition and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of study or performance of any activity incident to his training;

(c) Able to speak, read, write, and understand the English language;

(d) In possession of an official statement showing that he has successfully

completed a suitable academic education; university degree or its equivalent;

(e) Of good moral character and with suitable personal qualities;

(f) Employed in a responsible position in an appropriate government agency in his country with the expectation of re-entering his field of work on return to his country following training in the United States;

(g) A written statement of recommendation for training by a responsible official of his government who will also indicate (1) the manner in which it is proposed to make use of the training received by this applicant, and (2) the expenditures which his government expects to make in connection with the grant.

§ 362.3 *Granting of awards.* Training grants will be awarded on the basis of the qualifications of the applicants, as determined by the Director, Office of International Trade, Department of Commerce. Notification of award will be transmitted through diplomatic channels. The letter of award will specify duration of training; any allowances and travel authorization; and other pertinent instructions and authorizations.

§ 362.4 *Allowances and expenses.* An applicant given an award may be entitled to allowances and expenses as specified in 22 CFR, 1944 Supp., 28.1-28.12, "Allowances and Expenses to be Paid Participants in the Cultural-Cooperation Program," and as provided in Department of Commerce Administrative Order No. 202-3.¹

§ 362.5 *Progress and other reports.* Award holders shall submit written reports of progress in studies and training and other reports, at such intervals as the Director of the Office of International Trade may determine.

§ 362.6 *Duration of awards.* Awards may be made for periods of varying length, not exceeding twelve months of actual studies and training in the United States. Awards may be cancelled for cause by the Director of the Office of International Trade, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 362.7 *Official notification.* Each applicant selected for an award by the Director of the Office of International Trade, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of award, outline the course of studies and training, name the place or places of studies and training, and state the allowances authorized: *Provided, however,* That the Director of the Office of International Trade may subsequently amend the program of studies and training, and the duration of the award if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the award holder than

¹ Not filed with the Division of the Federal Register.

that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

[SEAL] THOMAS C. BLAISDELL, JR.,
Director,
Office of International Trade.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4583; Filed, May 20, 1948;
8:48 a. m.]

Chapter V—Weather Bureau, Department of Commerce

PART 506—AWARD OF FELLOWSHIPS IN METEOROLOGY

Sec.

- 506.1 Type of fellowship.
- 506.2 Qualifications.
- 506.3 Award of fellowships.
- 506.4 Allowances and expenses.
- 506.5 Duration of fellowships.
- 506.6 Official notification.

AUTHORITY: §§ 506.1 to 506.6, inclusive, issued under R. S. 161, 53 Stat. 1290, 57 Stat. 281; 5 U. S. C. 22, 22 U. S. C. 501, 502.

§ 506.1 *Type of fellowship.* Fellowships shall be of the interne-training type, comprising instruction for a period of 35 weeks or more at certain American universities including the University of California at Los Angeles, the California Institute of Technology, the University of Chicago, New York University, and the Massachusetts Institute of Technology, in synoptic, dynamic and physical meteorology, and in addition assignment to a Weather Bureau Station for a period of about 17 weeks for studying the organization and service work of the Weather Bureau.

§ 506.2 *Qualifications.* Applicants selected for these fellowships shall be:

(a) Bona fide citizens of any of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within sixty days of the date of application, describing the applicant's physical condition, and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or research or the performance of any activity incident to the fellowship;

(c) Able to speak, read, write and understand reasonably well the English language;

(d) Of good moral character and shall possess intellectual ability and suitable personal qualities; and shall have successfully completed their academic professional training in a recognized school in any one of the branches related to the science of meteorology, including among others, meteorology, climatology, physics, mathematics, engineering, physical geography, et cetera; and/or shall be a graduate of the Inter-American Meteorological Training School con-

ducted by the Weather Bureau at Medellin, Colombia; and/or shall be a qualified employee of the official meteorological service of the American republic from which selected.

§ 506.3 *Award of fellowships.* Fellowships will be awarded by the Chief of the Weather Bureau, and with the approval of the Secretary of Commerce and of the Secretary of State or his duly authorized representative. No applicant therefor shall be approved unless his application shall have been transmitted by the Government of the country of which he is a citizen through the diplomatic mission of the United States of America located in the Republic concerned.

§ 506.4 *Allowances and expenses.* Allowances and expenses shall be as provided in State Department regulations given in 22 CFR 1944 Supp., 28.1-28.12., and as provided in Department of Commerce Administrative Order No. 202-3.¹

§ 506.5 *Duration of fellowships.* Fellowships will be awarded for periods of not to exceed twelve months each.

§ 506.6 *Official notification.* Applicants recommended for fellowships by the Chief of the Weather Bureau and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of their award through diplomatic channels.

F. W. REICHELDERFER,
Chief of Bureau.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4584; Filed, May 20, 1948;
8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration

[Amdt. 1]

PART 602—INTER-AMERICAN AVIATION TRAINING SCHOLARSHIPS

REVOCATION OF PART

Part 602 published in 14 CFR, 1944 Supp., is hereby revoked. New Part 690 (*infra*) supersedes it.

[SEAL]

F. B. LEE,
Acting Administrator of
Civil Aeronautics.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4582; Filed, May 20, 1948;
8:48 a. m.]

PART 690—INTER-AMERICAN AVIATION TRAINING GRANTS

Pursuant to authority appearing in:

(a) Sections 301 and 308 of the Civil Aeronautics Act of 1938, as amended, (52 Stat. 973, 985, 986; 49 U. S. C. 451, 458)

¹ Not filed with the Division of the Federal Register.

empowering and directing the Administrator of Civil Aeronautics to encourage and foster the development of Civil Aeronautics and air commerce in the United States and abroad;

(b) Section 7 of Reorganization Plan No. IV (54 Stat. 1234, 1235-1236) effective June 30, 1940, providing that the Administrator of Civil Aeronautics shall perform his functions under the direction and supervision of the Secretary of Commerce;

(c) An act (R. S. 161; 5 U. S. C. 22) authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business;

(d) Resolution No. 81, adopted at the Eighth International Conference of American States held at Lima, Peru, on December 9-27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science approved by the American governments;

(e) Section 1 of an act to render closer and more effective the relationship between the American republics (Pub. Law 355—76th Cong., Ch. 616—1st Sess.; 53 Stat. 1290; 22 U. S. C. 501) approved August 9, 1939, authorizing the President of the United States, subject to such appropriations as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government of the United States in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the twenty-one American republics at the Inter-American Conference for the Maintenance of Peace, held at Buenos Aires, Argentina in 1936, and at the Eighth International Conference of American States, held at Lima, Peru, in 1938;

(f) Title I of an Act making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for the fiscal year ending June 30, 1948 (Pub. Law 166—80th Cong., Ch. 211—1st Sess.) approved July 9, 1947, appropriating funds (1) to carry out the purposes of the Act entitled "An Act to render closer and more effective the relationship between the American Republics," and (2) to pay, under such regulations as the Secretary of State may prescribe, tuition, compensation, allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications who are citizens of the United States or the other American republics; and

(g) Section 3 (a) (3) of the Administrative Procedure Act (Pub. Law 404—79th Cong., Ch. 324—2d Sess.; 60 Stat. 237, 238; 5 U. S. C. 1002), effective September 11, 1946, requiring every agency to separately state and currently publish in the FEDERAL REGISTER substantive rules adopted as authorized by law and statements of general policy or interpretations

formulated and adopted by the agency for the guidance of the public.

Part 690 is hereby adopted to read:

Sec.

- 690.1 General.
- 690.2 Types of training.
- 690.3 Qualifications.
- 690.4 Award of training grants.
- 690.5 Types of training grants.
- 690.6 Allowances and expenses.
- 690.7 Duration of training grants.
- 690.8 Official notification.

AUTHORITY: §§ 690.1 through 690.8 issued under R. S. 161, 52 Stat. 973, 985, 986, 53 Stat. 1290, 54 Stat. 1234, 1235-1236, 60 Stat. 237, Pub. Law 166, 80th Cong.; 5 U. S. C. 22, 1002, 22 U. S. C. 501, 49 U. S. C. 451, 458; Resolution 81, Eighth International Conference of American States, Lima, Peru, Dec. 9-27, 1938.

§ 690.1 *General.* Training grants may be awarded to qualified male applicants from other American republics.

§ 690.2 *Types of training.* Training grants may provide instruction, observation, study and practical training, in one or more of the following categories:

(a) Air traffic control and communications training, comprising such special courses of study as may be prescribed by the Administrator of Civil Aeronautics, on the basis of the qualifications and needs of the trainee and the purpose of the training as indicated by his government, in one or more of the various specialized technical branches of aviation, including airway communications, airway traffic control, airport traffic control, aviation meteorology, aviation navigation, aeronautical charting, and airline dispatching. The special courses of study scheduled over a period not to exceed one year will consist of (1) preliminary orientation, during which the trainee may receive intensive instruction in English, (2) physical education, (3) general and observational meteorology as related to airways service; International Continental Morse Code, teletypewriting, and radio telegraph; radio telephone, interphone, broadcast and teletype communications, procedures, practices and phraseologies; civil air regulations relating to air traffic rules; dead reckoning, navigation, radio navigation, radio aids to air navigation, and radio range monitoring; airport traffic control tower operation, procedures, practices and phraseologies; airway traffic control procedures, practices and phraseologies; organization, structure, and principal functions of the Civil Aeronautics Administration, and (4) assignment to one or more of the various offices and installations of the Civil Aeronautics Administration for practical on-the-job training, in airport traffic control, airways communications, and airway traffic control, and assignment to United States Weather Bureau Station for practical on-the-job training in aviation meteorology. Upon satisfactory completion of the training course, a trainee is eligible to take examinations for Civil Aeronautics Administration airport traffic control tower operator and aircraft communicator certificates.

(b) Aviation industry training provides practical on-the-job training for a period of not to exceed 10 months in a special field in the aviation industry of the United States selected according to

the background and qualifications of the individual trainee and the special needs of his country in aviation. Such training is available in airline operations; airline maintenance; aircraft, and aircraft engine, maintenance and overhaul; maintenance and overhaul of aircraft accessories; production and maintenance of single-engine aircraft; and airline traffic and administration. One month of preliminary orientation including intensive instruction in English may be given each trainee.

(c) Civil aviation official training provides an opportunity for high-level government and private civil aviation officials, during an eight-week period, to study and observe the organization, administration, and operation of civil aviation as developed in the United States and/or the methods and techniques in specialized fields of aviation in which they are primarily interested. This type of training is available to government and private civil aviation officials who are already experienced in their field of specialization, but who would make further contributions to civil aviation if they were afforded this opportunity to observe advanced operations.

§ 690.3 Qualifications. Each applicant selected for an aviation training grant shall meet the following requirements:

(a) *Age.* (1) An air traffic control and communications trainee shall be in the age range of 21 to 31, inclusive, as of the closing date for receipt of applications;

(2) An aviation industry trainee shall be in the age range of 21 to 35, inclusive, as of the closing date for receipt of applications;

(3) A civil aviation official trainee shall be at least 21 years of age, as of the closing date for receipt of applications;

(b) *Citizenship.* A trainee shall be a bona fide citizen of one of the American republics other than the United States;

(c) *Language.* (1) An air traffic control and communications trainee and an aviation industry trainee shall be able to speak, read, write, and understand the English language, and make a satisfactory score in an English written examination prescribed by the Administrator of Civil Aeronautics;

(2) A civil aviation official trainee should have a fair knowledge of English or an available interpreter, furnished at no expense to the government of the United States.

(d) *Physical requirements.* (1) An air traffic control and communications trainee shall be in a satisfactory physical condition as evidenced by a Civil Aeronautics Administration medical certificate (Form ACA-1004) issued by a designated Civil Aeronautics Administration medical examiner attesting compliance with Civil Aeronautics Administration Second Class physical requirements and shall furnish a satisfactory laboratory report of blood test;

(2) An aviation industry trainee shall be in a satisfactory physical condition as evidenced by a statement of a physical examination issued by a licensed physician within 60 days of the date of appli-

cation, describing the applicant's physical condition and stating that he is free from any communicable disease or disability that would interfere with any activity incidental to the training grant, and he shall furnish a satisfactory laboratory report of blood test;

(3) A civil aviation official trainee shall be in a satisfactory physical condition;

(e) *Education.* (1) An air traffic control and communications trainee shall possess a diploma attesting the successful completion of a course of study with a degree of "Bachillerato" (or the equivalent) at a recognized institution of learning;

(2) An aviation industry trainee shall have completed at least six years of schooling and have sufficient training or experience in practical mathematics and mechanics to enable him to make a satisfactory grade in a written examination prescribed by the Administrator of Civil Aeronautics;

(3) A civil aviation official trainee shall have attained a high-ranking position in civil aviation, either commercial or government.

(f) *Purpose.* (1) An air traffic control and communications trainee or an aviation industry trainee shall have expressed in an original composition in Spanish or Portuguese, a sincere desire and intention to engage in civil aviation in the country of which he is a citizen and in that branch of aviation for which application for a training grant is made. The original composition shall constitute a part of the application papers;

(2) A civil aviation official trainee is not required to express a purpose.

(g) *Character.* (1) An air traffic control and communications trainee of an aviation industry trainee shall furnish the names of at least three responsible persons residing in the republic of which he is a citizen, who can testify to his dependability, spirit of initiative, industry, stability, honesty, perseverance, and aptitude in that branch of aviation for which application for training grant is made;

(2) A civil aviation official trainee is not required to furnish references.

(h) *Sponsor.* Preference will be given to an applicant who has at least one sponsor willing and able to employ him in that branch of aviation for which the training grant has qualified him upon his return to the republic of which he is a citizen.

(i) *Endorsement.* A trainee shall have received the endorsement of the United States Embassy in the country from which he applies.

§ 690.4 Award of training grants. Training grants will be awarded by the Administrator of Civil Aeronautics with the approval of the Secretary of Commerce and the Secretary of State of the United States, or their duly authorized representatives, upon the recommendation of the Inter-American Aviation Selection Committee appointed by the government of the American republic wherein the applicant resides. No applicant will be considered in the awarding of training grants unless his application and supporting papers shall have been

submitted by such Selection Committee through the Department of State to the Administrator of Civil Aeronautics for the elimination of unqualified applicants prior to the final recommendation of the Inter-American Aviation Selection Committee. After the elimination of any unqualified applicants by the Administrator of Civil Aeronautics, the Inter-American Aviation Selection Committees of the respective countries shall make final recommendations from those qualified applicants remaining.

§ 690.5 Types of training grants. Three types of training grants may be offered: Type A wherein the total cost of the training grant is paid for by the United States Government, Type B wherein the total cost of the training grant is paid for by an American republic other than the United States or by an aviation industrial concern, and Type C wherein a portion of the cost of the training grant is paid for by the United States Government and the remainder of the cost of the training grant is paid for by an American republic other than the United States or by an aviation industrial concern.

§ 690.6 Allowances and expenses. An applicant awarded a Type B training grant will not be entitled to any allowances and expenses paid from funds appropriated by the United States Government. An applicant awarded a Type A or a Type C training grant may be paid the appropriate allowances and expenses as provided in the Code of Federal Regulations, Title 22, Chapter I, Subchapter A, Part 28, as interpreted, modified, or altered by the Department of State, and as provided in Department of Commerce Administrative Order No. 202-3.¹

§ 690.7 Duration of training grants. Air traffic control and communications training grants will be awarded for periods of one year; aviation industry training grants will be awarded for periods of 10 months; and civil aviation official training grants will be awarded for periods of 2 months. Subject to the availability of appropriations, training grants may be extended by the Administrator of Civil Aeronautics not to exceed four months. Training grants may be cancelled for cause by the Administrator of Civil Aeronautics with the approval of the Secretary of Commerce and the Secretary of State, or their duly authorized representatives.

§ 690.8 Official notification. Each applicant selected for a training grant shall be notified of his award through diplomatic channels by a letter of award, which shall describe the training, state the duration and type of training grant and the allowances authorized. The amounts originally specified for allowances and expenses may be amended by the Administrator of Civil Aeronautics or his duly authorized representative, if necessary, provided that such amounts are kept within the maximum limits specified by regulations of the Department of State. The Administrator of Civil Aeronautics may amend the types

¹ Not filed with the Division of the Federal Register.

of training or duration of training grants in the interest of obtaining instruction better suited to the needs and capabilities of trainees than those prescribed in the original letter of award.

This part shall become effective upon publication in the FEDERAL REGISTER.

[SEAL]

F. B. LEE,
*Acting Administrator of
Civil Aeronautics.*

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4581; Filed, May 20, 1948;
8:50 a. m.]

TITLE 23—HIGHWAYS

Chapter I—Public Roads Administration, Federal Works Agency

PART 1—REGULATIONS UNDER THE FEDERAL-AID HIGHWAY ACT OF 1944 AND THE FEDERAL-AID ROAD ACT OF JULY 11, 1916, AS AMENDED AND SUPPLEMENTED

CONSTRUCTION AND CONTRACTS

Paragraph (g) of § 1.10 *Construction and contracts* of the regulations under the Federal-Aid Highway Act of 1944 and the Federal-Aid Road Act of July 11, 1916, as amended and supplemented, issued April 21, 1945, is hereby amended to read as follows, effective upon publication in the FEDERAL REGISTER:

(g) All contracts for projects under the act shall contain suitable stipulations designed to insure that the contractor shall perform with his own organization work amounting to not less than 50 percent of the combined value of all items of work covered by the contract for each project: *Provided, however,* That any work under the contract which will require highly specialized knowledge, craftsmanship, or equipment not ordinarily available in contracting organizations qualified to bid on the project, may be designated and shown in the advertised specifications as "Specialty Items" and the items so designated may be performed by subcontract without regard to the above limitation.

(Sec. 18, 42 Stat. 216; 23 U. S. C. 19; Reorg. Plan No. 1 of 1939, 4 F. R. 2727)

PHILIP B. FLEMING,
Federal Works Administrator.

[F. R. Doc. 48-4568; Filed, May 20, 1948;
8:46 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 687—FULL-FASHIONED HOSIERY INDUSTRY IN PUERTO RICO, MINIMUM WAGE ORDER

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 5; FINAL DECISION AND ORDER

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Supp., 1001), notice was published in the FEDERAL REGISTER on April 29, 1948 (13 F. R. 2319) of the decision of the Administrator to approve the minimum wage recommendation of Special Industry Com-

mittee No. 5 for Puerto Rico for the full-fashioned hosiery industry in Puerto Rico, and the proposed wage order to carry such recommendation into effect was published therewith. Interested parties were given an opportunity to submit exceptions within 15 days of the date of publication of the notice. No exceptions have been filed, and the time for such filing has expired.

Accordingly, pursuant to authority vested in me by the Fair Labor Standards Act of 1938 (52 Stat. 1060; 29 U. S. C. 201), the said decision is hereby affirmed and made final, and the said wage order is hereby issued, to become effective June 21, 1948, as provided therein.

Sec.
687.1 Approval of recommendation of Industry Committee.
687.2 Wage rate.
687.3 Notices of order.
687.4 Definition of full-fashioned hosiery industry in Puerto Rico.

AUTHORITY: §§ 687.1 to 687.4, inclusive, issued under secs. 5 (e), 8, 52 Stat. 1064, 54 Stat. 615; 29 U. S. C. 205 (e), 208.

§ 687.1 *Approval of recommendation of Industry Committee.* The Committee's recommendation is hereby approved.

§ 687.2 *Wage rate.* Wages at a rate of not less than 33 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the full-fashioned hosiery industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 687.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the full-fashioned hosiery industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 687.4 *Definition of the full-fashioned hosiery industry in Puerto Rico.* The full-fashioned hosiery industry in Puerto Rico to which this order shall apply, is hereby defined as follows: The manufacture of full-fashioned hosiery but not including dyeing, clocking, and other phases of hosiery finishing.

Signed at Washington, D. C., this 18th day of May 1948.

F. GRANVILLE GRIMES, JR.,
*Acting Administrator,
Wage and Hour Division.*

[F. R. Doc. 48-4591; Filed, May 20, 1948;
8:52 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 54—GOLD REGULATIONS

Part 54 of this chapter is reissued as set forth below. This is a compilation

of previously issued amendments to Part 54 and includes certain editorial revisions.

[SEAL]

E. H. FOLEY, JR.,
Secretary of the Treasury.

SUBPART A—GENERAL PROVISIONS

Sec.
54.1 Authority for regulations.
54.2 Scope.
54.3 Titles and subtitles.
54.4 Definitions.
54.5 General provisions affecting applications, statements, and reports.
54.6 General provisions affecting licenses.
54.7 General provisions affecting export licenses.
54.8 General provisions affecting import licenses.
54.9 Forms available.
54.10 Representations by licensees.
54.11 Penalties.

SUBPART B—CONDITIONS UNDER WHICH GOLD MAY BE ACQUIRED AND HELD, TRANSPORTED, MELTED OR TREATED, IMPORTED, EXPORTED, OR EARMARKED OR HELD IN CUSTODY FOR FOREIGN OR DOMESTIC ACCOUNT

54.12 Conditions under which gold may be acquired, held, melted, etc.
54.13 Transportation of gold.
54.14 Gold situated outside of the United States.
54.15 Gold situated in the possessions of the United States.
54.16 Fabricated gold.
54.17 Metals containing gold.
54.18 Unmelted scrap gold.
54.19 Gold in its natural state.
54.20 Rare coin.

SUBPART C—GOLD FOR INDUSTRIAL, PROFESSIONAL, AND ARTISTIC USE

54.21 Thirty-five-ounce exemption.
54.22 Licenses required.
54.23 Purposes for which licenses shall be issued.
54.24 Applications.
54.25 Licenses.
54.26 Records.
54.27 Reports.

SUBPART D—GOLD FOR THE PURPOSE OF SETTLING INTERNATIONAL BALANCES, AND FOR OTHER PURPOSES

54.28 Acquisitions by Federal Reserve banks for purposes of settling international balances, etc.
54.29 Dispositions by Federal Reserve banks.
54.30 Provisions limited to Federal Reserve banks.

SUBPART E—GOLD FOR OTHER PURPOSES NOT INCONSISTENT WITH THE PURPOSES OF THE GOLD RESERVE ACT OF 1934

54.31 Licenses required.
54.32 Gold imported in gold-bearing materials for re-export.
54.33 Gold imported for re-export.
54.34 Licenses for other purposes.

SUBPART F—PURCHASE OF GOLD BY MINTS

54.35 Purchases by mints.
54.36 Deposits.
54.37 Rejection of gold by mint.
54.38 Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof.
54.39 Unmelted scrap gold.
54.40 Imported gold.
54.41 Records and reports.
54.42 Purchase price.

SUBPART G—SALE OF GOLD BY MINTS

54.43 Sale by mints.
54.44 Sale price.

SUBPART H—GENERAL RULINGS ISSUED UNDER THE REGULATIONS IN THIS PART

54.50 Authority for mints to purchase additional categories of gold.

SUBPART I—INSTRUCTIONS ISSUED PURSUANT TO
THE REGULATIONS IN THIS PART

Sec.
54.60 Gold exported from Mexico.

APPENDIX—EXCERPTS FROM THE GOLD RESERVE
ACT OF 1934, AS AMENDED

AUTHORITY: §§ 54.1 to 54.50, inclusive, issued
under sections 3, 8 and 9, 48 Stat. 340, 341;
31 U. S. C. 442, 734, 733.

SUBPART A—GENERAL PROVISIONS

§ 54.1 *Authority for regulations.* The regulations in this part, deemed necessary and proper by the Secretary of the Treasury to carry out the purposes of the Gold Reserve Act of 1934, approved January 30, 1934 (48 Stat. 337), are issued by the Secretary of the Treasury, with the approval of the President, under authority of said act.

§ 54.2 *Scope.* Sections 54.12 to 54.34 refer particularly to section 3 of the act (48 Stat. 340; 31 U. S. C. 442); and §§ 54.35 to 54.44 refer particularly to sections 8 and 9 thereof (48 Stat. 341; 31 U. S. C. 734, 733).

The provisions of this part may be revoked or modified at any time and any license outstanding at the time of such revocation or modification shall be modified thereby to the extent provided in such revocation or modification.

§ 54.3 *Titles and subtitles.* The titles in this part are inserted for purposes of ready reference and are not to be construed as constituting a part of the regulations in this part.

§ 54.4 *Definitions.* As used in this part, the term:

"Act" means the Gold Reserve Act of 1934, approved January 30, 1934.

"United States" means the Government of the United States, or, where used to denote a geographical area, means the continental United States and all other places subject to the jurisdiction of the United States.

"Continental United States" means the States of the United States, the District of Columbia, and the Territory of Alaska.

"Currency of the United States" means currency which is legal tender in the continental United States, and includes United States notes, Treasury notes of 1890, gold certificates, silver certificates, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banking associations.

"Person" means any individual, partnership, association, or corporation, including the Board of Governors of the Federal Reserve System, Federal Reserve banks, and Federal Reserve agents.

"Mint" means a United States mint or assay office, and wherever authority is conferred upon a "mint" such authority is conferred upon the person locally in charge of the respective United States mint or assay office acting in accordance with the instructions of the Director of the Mint or the Secretary of the Treasury.

"Mint district" means one of the following areas:

The mint district of Philadelphia, which for the purposes of this part consists of the States of Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi,

Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, and the District of Columbia.

The mint district of New York, which for the purposes of this part consists of the States of Connecticut, Delaware, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Wisconsin, and Puerto Rico, the Virgin Islands of the United States, and the Panama Canal Zone.

The mint district of Denver, which for the purposes of this part consists of the States of Colorado, Iowa, Kansas, Minnesota, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming.

The mint district of San Francisco, which for the purposes of this part consists of the States of Arizona, California, and Nevada, and the Territories and possessions of the United States not specifically included in other mint districts.

The mint district of Seattle, which for the purposes of this part consists of the States of Idaho, Montana, Oregon, and Washington, and the Territory of Alaska.

"Gold coin" means any coin containing gold as a major element, including gold coin of a foreign country.

"Gold bullion" means any gold which has been put through a process of smelting or refining, and which is in such state or condition that its value depends primarily upon the gold content and not upon its form; but it does not include metals containing less than 5 troy ounces of fine gold per short ton, nor does it include gold coin.

"Fabricated gold" means gold which has, in good faith and not for the purpose of evading, or enabling others to evade, the provisions of the act or of the regulations in this part, been processed or manufactured for some one or more specific and customary industrial, professional, or artistic uses, *Provided*, That not more than 80 percent of the total domestic value of the processed or manufactured gold is attributable to the gold content thereof; but the term "fabricated gold" does not include gold coin or scrap gold.

"Semi-processed gold" means gold which has, in good faith and not for the purpose of evading, or enabling others to evade, the provisions of the act or of the regulations in this part, been processed or manufactured for some one or more specific and customary industrial, professional, or artistic uses, *Provided*, That more than 80 percent of the total domestic value of the processed or manufactured gold is attributable to its gold content; but the term "semi-processed gold" does not include gold coin or scrap gold.

"Scrap gold" means gold sweepings and any semi-processed gold or fabricated gold, the value of which depends primarily upon its gold content and not upon its form, which is no longer held for the use for which it was processed or manufactured.

Wherever reference is made in this part to equivalents as between dollars or currency of the United States and gold, \$1 or \$1 face amount of any currency of

the United States equals fifteen and five twenty-firsts (15 $\frac{5}{21}$) grains of gold, nine-tenths fine.

Wherever reference is made in this part to "sections", the reference is, unless otherwise indicated, to the designated sections of this part.

§ 54.5 *General provisions affecting applications, statements, and reports.* Every application, statement, and report required to be made hereunder shall be made upon the appropriate form prescribed by the Secretary of the Treasury. Action upon any application or statement may be withheld pending the furnishing of any or all of the information required in such forms or of such additional information as may be deemed necessary by the Secretary of the Treasury, or the agency authorized or directed to act hereunder. There shall be attached to the applications, statements, or reports such instruments as may be required by the terms thereof and such further instruments as may be required by the Secretary of the Treasury, or by such agency.

§ 54.6 *General provisions affecting licenses.* (a) Licenses issued pursuant to the regulations in this part shall be upon the appropriate form prescribed by the Secretary of the Treasury. Licenses shall be nontransferable and shall entitle the licensee to acquire, transport, melt or treat, import, export, or earmark or hold in custody for foreign or domestic account, gold only in such form and to the extent permitted by, and subject to the conditions prescribed in, the regulations in this part and such licenses.

(b) Licenses may be modified or revoked at any time in the discretion of the Secretary of the Treasury acting directly, or through the agency which issued the license, or any other agency designated by the Secretary of the Treasury. In the event that a license is modified or revoked (other than by a modification or revocation of the regulations in this part), the Secretary of the Treasury, or the agency through which the license was issued, or such other agency designated by the Secretary of the Treasury, shall advise the licensee by letter mailed to the address of the licensee set forth in the application. The licensee, upon receipt of such advice, shall forthwith surrender his license as directed in such advice. If the license has been modified but not revoked, the Secretary of the Treasury, or the agency through which the original license was issued, shall thereupon issue a modified license.

(c) No license issued hereunder shall authorize the licensee to hold any gold coin, or any gold melted by any person from gold coin, unless the license contains a specific provision to that effect.

(d) No license issued hereunder shall exempt the licensee from the duty of complying with the legal requirements of any State or Territory or local authority.

(e) No license shall be issued to any person doing business under a name which, in the opinion of the Secretary of the Treasury or the designated agency issuing the license, is designed or is likely to induce the belief that gold is

purchased, treated, or sold on behalf of the United States or for the purpose of carrying out any policy of the United States.

§ 54.7 *General provisions affecting export licenses.* At the time any license to export gold is issued, the Federal Reserve bank or mint issuing the same shall transmit a copy thereof to the collector of customs at the port of export designated in the license. No collector of customs shall permit the export or transportation from the continental United States of gold in any form except upon surrender of a license to export, a copy of which has been received by him from the Federal Reserve bank or the mint issuing such license: *Provided, however,* That the export, or transportation from the continental United States of fabricated gold may be permitted pursuant to § 54.16: *And provided further,* That gold held by the Federal Reserve banks under §§ 54.28 to 54.30, inclusive, may be exported for the purposes of such sections without a license. The collector of customs to whom a license to export is surrendered shall cancel such license and return it to the Federal Reserve bank or mint which issued the same. In the event that the shipment is to be made by mail, a copy of the export license shall be sent to the postmaster of the post office designated in the application, who will act under the instructions of the Postmaster General in regard thereto.

§ 54.8 *General provisions affecting import licenses.* No gold in any form imported into the United States shall be permitted to enter until the person importing such gold shall have satisfied the collector of customs at the port of entry that he holds a license authorizing him to import such gold or that such gold may be imported without a license under the provisions of §§ 54.12 to 54.20, inclusive, or 54.28 to 54.30, inclusive. Postmasters receiving packages containing gold will deliver such gold subject to the instructions of the Postmaster General.

(a) *Certificates with respect to imported gold.* Collectors of customs shall, upon receipt of instructions¹ issued from time to time by the Secretary of the Treasury with the approval of the President, refuse entry into the continental United States of gold in the form and condition described in such instructions, which is exported from the country or countries specified in such instructions, unless there is filed with the collector of customs at the port of entry a certificate duly certified by an officer of the country from which the gold is exported to the effect that such gold was or may be lawfully exported from such country.

§ 54.9 *Forms available.* Any form, the use of which is prescribed in this part, may be obtained at, or on written request to, any United States mint or assay office, Federal Reserve bank, or the Bureau of the Mint, Treasury Department, Washington 25, D. C.

§ 54.10 *Representations by licensees.* Licensees may include in public and

private representations or statements the clause "licensed on form TGL _____ (here inserting the number of the form of license held by the licensee) pursuant to the regulations prescribed under the Gold Reserve Act of 1934", but any representation or statement which might induce the belief that the licensee is acting or is especially privileged to act on behalf of or for the United States, or is purchasing, treating, or selling gold for the United States, or in any way dealing in gold for the purpose of carrying out any policy of the United States, shall be a violation of the conditions of the license. Each agency issuing licenses hereunder which receives notice of any such representations or statements made by or with the acquiescence of any licensee shall promptly notify the Secretary of the Treasury in order that he may advise it whether or not the license of the person making such representations or statements, or permitting such representations or statements to be made, should be revoked.

(a) *Business names and representations generally.* No person doing business under a name which is designed or is likely to induce the belief that gold is being purchased, treated, or sold on behalf of the United States, or for the purpose of carrying out any policy of the United States, or making representations or statements which might induce the belief that such person is acting or is especially privileged to act on behalf of or for the United States, or is purchasing, treating, or selling gold for the United States, or in any way dealing in gold for the purpose of carrying out any policy of the United States, may acquire, transport, melt or treat, import, export or earmark or hold in custody for foreign or domestic account any gold under authority of §§ 54.12 to 54.20, inclusive, or §§ 54.21 to 54.27, inclusive.

§ 54.11 *Penalties.* Any gold withheld, acquired, transported, melted or treated, imported, exported, or earmarked or held in custody in violation of the act, or of any regulations issued thereunder, including the regulations in this part, or of any licenses issued pursuant thereto or hereto, shall be forfeited to the United States and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law; and, in addition, any person failing to comply with the provisions of the act or of any such regulations or licenses shall be subject to a penalty equal to twice the value of the gold in respect of which such failure occurred.

SUBPART B—CONDITIONS UNDER WHICH GOLD MAY BE ACQUIRED AND HELD, TRANSPORTED, MELTED OR TREATED, IMPORTED, EXPORTED, OR EARMARKED OR HELD IN CUSTODY FOR FOREIGN OR DOMESTIC ACCOUNT

§ 54.12 *Conditions under which gold may be acquired, held, melted, etc.* Gold in any form may be acquired, transported, melted or treated, imported, exported, or earmarked or held in custody for foreign or domestic account (except on behalf of the United States), only to the extent permitted by, and subject to the

conditions prescribed in, the regulations in this part or licenses issued pursuant to the regulations in this part.

§ 54.13 *Transportation of gold.* Gold may be transported by carriers for persons who are licensed to hold and transport such gold or who are permitted by the regulations in this part to hold and transport gold without a license.

§ 54.14 *Gold situated outside of the United States.* Gold in any form situated outside of the United States may be acquired, transported, melted or treated, or earmarked or held in custody for foreign or domestic account without the necessity of holding a license.

§ 54.15 *Gold situated in the possessions of the United States.* Gold in any form (other than United States gold coin) situated in places subject to the jurisdiction of the United States beyond the limits of the continental United States may be acquired, transported, melted or treated, imported, exported, or earmarked or held in custody for the account of persons other than residents of the continental United States, by persons not domiciled in the continental United States: *Provided, however,* That gold may be transported from the continental United States to the possessions of the United States only under license for export issued pursuant to §§ 54.25 (c), 54.32, 54.33 or 54.34, or, if fabricated gold, pursuant to § 54.16.

§ 54.16 *Fabricated gold.* Fabricated gold may be acquired, transported within the United States, imported, exported, or held in custody for foreign or domestic account without the necessity of holding a license therefor.

§ 54.17 *Metals containing gold.* Metals containing not more than 5 troy ounces of fine gold per short ton may be acquired, transported within the United States, imported, or held in custody for domestic account without the necessity of obtaining a license therefor. Such metals may be melted or treated, exported, and held in custody for foreign account only to the extent permitted by, and subject to the conditions prescribed in or pursuant to §§ 54.21 to 54.27, inclusive.

§ 54.18 *Unmelted scrap gold.* Unmelted scrap gold (such as old jewelry, watch cases, optical frames, dental crowns and bridges, and the like, which have not been melted, but not including filings, clippings, pieces, and the like) may be acquired, transported within the United States, imported, or held in custody for domestic account in amounts not exceeding at any one time 35 troy ounces of fine gold without the necessity of holding a license therefor: *Provided, however,* That no gold which has been held at any time in noncompliance with the act of March 9, 1933, any Executive orders or orders of the Secretary of the Treasury issued thereunder, or in noncompliance with the regulations prescribed under such orders or licenses issued pursuant thereto, or which has been acquired and held, transported, melted or treated, imported, exported, earmarked, or held in custody in violation of the act or of regulations issued

¹ See Subpart I for instructions issued pursuant to § 54.8 (a).

thereunder, including the regulations in this part, or any licenses issued pursuant thereto, may be acquired, transported within the United States, imported, or held in custody for domestic account under authority of this section.

Persons holding licenses on form TGL-12, TGL-13, or TGL-14, or acquiring, transporting, importing or holding gold pursuant to § 54.21, may not acquire, transport, import or hold any gold under authority of this section.

§ 54.19 Gold in its natural state. Gold in its natural state (i. e., gold recovered from natural sources which has not been melted, smelted, or refined or otherwise treated by heating or by a chemical or electrical process) may be acquired, transported within the United States, imported, or held in custody for domestic account without the necessity of holding a license therefor.

Gold amalgam which results from the addition of mercury to gold in its natural state recovered from natural deposits in the United States or a place subject to the jurisdiction thereof, may be heated to a temperature sufficient to separate the mercury from the gold (but not to the melting temperature of gold) without a license by the person who recovered the gold from such deposits, or his duly authorized agent or employee. The retort sponge resulting from such heating of such gold amalgam may be held and transported by such person without a license: *Provided, however,* That no such person may hold at any one time an amount of such retort sponge which exceeds in fine gold content 200 troy ounces. Such retort sponge may be acquired from such persons by the United States or by persons holding licenses on form TGL-12 modified to deal in retort sponge, TGL-13 or TGL-14, but by no other person.

Except as provided in §§ 54.12 to 54.20 inclusive, and in § 54.33, gold in its natural state may be melted or treated or exported only to the extent permitted by, and subject to the conditions prescribed in, or pursuant to, §§ 54.21 to 54.27, inclusive.

§ 54.20 Rare coin. Gold coin of recognized special value to collectors of rare and unusual coin (but not including quarter eagles, otherwise known as \$2.50 pieces, unless held, together with rare and unusual coin and as part of a collection for historical, scientific, or numismatic purposes, containing not more than four quarter eagles of the same date and design, and struck by the same mint) may be acquired and held, transported within the United States, imported or held in custody for domestic account without the necessity of holding a license therefor. Such coin may be exported only under license on form TGL-11 issued by the Director of the Mint. Application for such a license shall be executed on form TG-11 and filed with the Director of the Mint, Treasury Department Washington 25, D. C.

SUBPART C—GOLD FOR INDUSTRIAL, PROFESSIONAL, AND ARTISTIC USE

§ 54.21 Thirty-five-ounce exemption. (a) Any person regularly engaged in an industry, profession, or art, who requires

gold for legitimate, customary, and ordinary use therein may import unmelted scrap gold, and may acquire from the sources enumerated below gold in any form and may hold, transport, and melt and treat gold in any form which has been so acquired or imported, or which is lawfully held by such person, for the purposes specified in subparagraphs (1) and (2) of this paragraph, without the necessity of obtaining a license therefor, provided the aggregate amount of such gold does not exceed at any one time* 35 troy ounces of fine gold:

(1) In any form, for fabrication or use by such person in the industry, profession, or art in which he is engaged;

(2) In the form of unmelted scrap, for furnishing in unmelted form to persons authorized under the regulations in this part, or licenses issued pursuant hereto to acquire unmelted scrap gold, or for offering in unmelted form for sale to the United States.

(b) Such persons are authorized under this section to acquire, for the purposes enumerated above, only gold which is:

(1) Held by a person authorized to hold it in such form and amount under a license on form TGL-12 or TGL-13;

(2) Held by a person authorized to hold and dispose of it in such form and amount under a license on form TGL-14;

(3) Held by a person who, under the regulations in this part, is authorized to hold and dispose of such gold in such form and amount without a license; or

(4) Offered for sale by a United States mint or assay office.

(c) Persons acquiring, holding, transporting, melting, treating or importing gold under authority of this section are not authorized:

(1) To sell or otherwise dispose of gold, except in the form of unmelted scrap gold (as provided in paragraph (a) (2) of this section) fabricated gold, metals containing not more than 5 troy ounces of fine gold per short ton, or gold in its natural state: *Provided, however,* That gold filings, clippings and the like, which are not acquired by any such person in such form, but which accrue directly from, and as a result of, the legitimate, customary, and ordinary conduct of the industry, profession, or art in which such person is engaged, may be disposed of in that form to persons who are authorized under licenses issued pursuant to the regulations in this part to acquire such gold, or may be offered in that form for sale to the United States;

(2) To acquire, hold, transport, melt or treat, or import gold coin or gold derived by any person from gold coin or any gold which has been held at any time in noncompliance with the act of March 9, 1933, any Executive orders or orders of the Secretary of the Treasury issued thereunder, or in noncompliance with the regulations prescribed under such orders or licenses issued pursuant thereto, or which has been acquired and held, transported, melted or treated, imported,

* The amount which may thus be acquired, held, transported or imported is in addition to gold which may be acquired, held, transported and imported without a license under any section of the regulations in this part other than § 54.18.

exported, or held in custody in violation of the act or of regulations issued thereunder including the regulations in this part or any licenses issued pursuant thereto.

(d) Persons holding licenses on form TGL-12, TGL-13, or TGL-14, or acquiring, transporting, importing, or holding gold pursuant to § 54.18 may not acquire, hold, transport, import, or melt or treat any gold under authority of this section.

§ 54.22 Licenses required. Except as permitted in §§ 54.12 to 54.20, inclusive, and 54.21, gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked for industrial, professional, or artistic use only to the extent permitted by licenses issued under § 54.23.

§ 54.23 Purposes for which licenses shall be issued. The mints shall issue licenses authorizing the acquisition and holding, transportation, melting and treating, importing, exporting, and holding for domestic account of gold which the mint is satisfied is required for legitimate and customary use in industry, profession, or art, by an applicant regularly engaged in the mint district of such mint (a) in the business, of furnishing or processing gold for industry, profession, or art, or for sale to the United States, (b) in an industry, profession, or art in which stocks of gold in excess of 35 fine ounces are required to be maintained by the applicant.

§ 54.24 Applications. Every application for a license under § 54.23 shall be made on form TG-12 (except that applications for export shall be made on form TG-15) and shall be filed in duplicate with the United States mint for the mint district in which is located the applicant's principal place of business. No person shall make application to more than one mint; and in the event any one person is through misrepresentation or mistake issued a license under this subpart by more than one mint, all licenses issued to such person shall be void from the date of issuance to such person of a license by a second mint. Every applicant for a license under § 54.23 shall state in his application whether or not any applications have been filed by or licenses issued to any partnership, association, or corporation in which the applicant has a substantial interest or if the applicant is a partnership, association, or corporation, by or to a person having a substantial interest in such partnership, association, or corporation. No mint shall issue any license to any person if in its judgment more than one license for the same purpose will be held for the principal use or benefit of the same persons or interests. Any person licensed under this subpart acquiring a principal interest in any partnership, association, or corporation holding a license under this subpart for this purpose shall immediately so inform the mints which issued the licenses.

§ 54.25 Licenses. (a) Upon receipt of the application and after making such investigation of the case as it may deem advisable, the mint, if satisfied that gold is necessary for the legitimate and customary requirements of the applicant's

industry, profession, art, or business, shall issue to the applicant a license on form TGL-12, TGL-13, or TGL-14, whichever is designated in rulings of the Secretary of the Treasury for the kind of business, industry, profession, or art in which the applicant is engaged.

(b) Licenses issued under this subpart may entitle the licensee to acquire and hold not to exceed a maximum amount specified therein, which amount shall not be greater than the estimated requirements of the licensee for a period of 3 months; and such license may authorize the licensee to transport such gold from place to place within the United States, melt or treat it to the extent necessary to meet the requirements of the industry, profession, or art for which it was acquired and held or otherwise to carry out the purposes for which it is held under license, and may authorize the licensee to import gold so long as the maximum amount of gold held after importation does not exceed the maximum amount authorized by the license to be held.

(c) No license on form TGL-12, TGL-13 or TGL-14 shall authorize the licensee to export or transport gold in any form from the continental United States, without a supplementary license on form TGL-15 issued by the mint which issued the license on form TGL-12, TGL-13 or TGL-14 except that fabricated gold may be exported or transported from the continental United States pursuant to § 54.16. Export licenses on form TGL-15 shall be issued only with the approval of the Director of the Mint and upon application made on form TG-15 showing to the satisfaction of the mint and the Director that the gold to be exported is semi-processed gold and that the export or transport from the continental United States is for a specific and customary industrial, professional, or artistic use and not for the purpose of using or holding or disposing of such semi-processed gold beyond the limits of the continental United States as, or in lieu of, money, or for the value of its gold content: *Provided, however*, That export licenses may be issued authorizing the exportation of gold in any form for refining or processing subject to the condition that the refined or processed gold (or the equivalent in refined or processed gold) be returned to the United States, or subject to such other conditions as the Director may prescribe.

(d) No license issued under this subpart shall entitle the licensee to acquire and hold, transport, melt or treat, import or export, or hold in custody any gold coin.

§ 54.26 *Records.* Every person holding a license issued pursuant to § 54.23 shall keep exact records of all his acquisitions and deliveries of gold. His records shall contain the name, address, and license number of each person from whom he acquires, or to whom he delivers, gold (other than fabricated gold) and shall show the amount, date, and description of each such acquisition and delivery, and such records shall be available for examination by a representative of the Treasury Department for at least 1 year after the date of the disposition

of such gold. If the person from whom such gold is acquired, or to whom such gold is delivered, does not have a license such records shall show, in lieu of the license number of such person, the section of the regulations in this part pursuant to which such gold was held or acquired by such person.

§ 54.27 *Reports.* Every person holding a license on form TGL-12, TGL-13, or TGL-14 shall make quarterly reports on form TGR-12, TGR-13, or TGR-14, respectively, for the quarterly periods ending on the last days of January, April, July, and October, respectively, and shall file such reports with the Director of the Mint, Treasury Department, Washington 25, D. C. Reports on form TGR-12 and TGR-14 shall be filed within 15 days, and reports on form TGR-13 shall be filed within 25 days, after the termination of the quarterly period for which such reports are made.

SUBPART D—GOLD FOR THE PURPOSE OF SETTLING INTERNATIONAL BALANCES, AND FOR OTHER PURPOSES

§ 54.28 *Acquisitions by Federal Reserve banks for purposes of settling international balances, etc.* The Federal Reserve banks may from time to time acquire from the United States by redemption of gold certificates in accordance with section 6 of the act, such amounts of gold bullion as, in the judgment of the Secretary of the Treasury, are necessary to settle international balances or to maintain the equal purchasing power of every kind of currency of the United States. Such banks may also acquire gold (other than United States gold coin) abroad or may acquire gold (other than United States gold coin) in the United States which has not been held in noncompliance with the Executive orders, or the orders of the Secretary of the Treasury, issued under sections 2 and 3 of the act of March 9, 1933 (48 Stat. 1, 2; 12 U. S. C. 95a, 248 (n)), entitled "An act to provide relief in the existing national emergency in banking and for other purposes", or in noncompliance with any regulations or rulings made thereunder or licenses issued pursuant thereto, or acquired and held, transported, melted or treated, imported, exported, earmarked or held in custody for foreign or domestic account in violation of the act or regulations issued thereunder including the regulations in this part.

§ 54.29 *Dispositions by Federal Reserve banks.* The gold acquired under § 54.28 may be held, transported, imported, exported, or earmarked or held in custody for foreign or domestic account for the purposes of settling international balances or maintaining the equal purchasing power of every kind of currency of the United States: *Provided*, That if the gold is not used for such purposes within 6 months from the date of acquisition, it shall (unless the Secretary of the Treasury shall have extended the period within which such gold may be so held) be paid and delivered to the Treasurer of the United States against payment therefor by credits in equivalent amounts in dollars in the accounts

authorized under the sixteenth paragraph of section 16 of the Federal Reserve Act, as amended (48 Stat. 339; 12 U. S. C. 467).

§ 54.30 *Provisions limited to Federal Reserve banks.* The provisions of this subpart shall not be construed to permit any person subject to the jurisdiction of the United States, other than a Federal Reserve bank, to acquire gold for the purposes specified in this subpart or to permit any person to acquire gold from a Federal Reserve bank except to the extent that his license issued hereunder specifically so provides.

SUBPART E—GOLD FOR OTHER PURPOSES NOT INCONSISTENT WITH THE PURPOSES OF THE GOLD RESERVE ACT OF 1934

§ 54.31 *Licenses required.* Gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked or held in custody for foreign or domestic account, for purposes other than those specified in §§ 54.21 to 54.30, inclusive, not inconsistent with the purposes of the act only to the extent permitted in §§ 54.12 to 54.20 inclusive, or under a license issued under §§ 54.32, 54.33 or 54.34.

§ 54.32 *Gold imported in gold-bearing materials for reexport.* The United States assay office at New York or the United States mint at San Francisco, with the approval of the Director of the Mint, shall issue licenses on form TGL-16 authorizing the exportation of gold refined (or the equivalent to gold refined) from gold-bearing materials imported into the United States for refining and reexport to the foreign exporter, or pursuant to his order: *Provided*, The Director and such assay office or mint are satisfied that:

(1) The imported gold-bearing material either (i) was imported into the United States from a foreign resident or a foreign organization, or (ii) was mined by a branch or other office of a United States organization and imported into the United States from such branch or office;

(2) The importer has no right, title, or interest in the gold refined from the imported gold-bearing material other than through its branch or office which is the foreign exporter as provided in subparagraph (1) (ii) above, and the importer will not participate in the sale of such refined gold or receive any commission in connection with the sale of such refined gold;

(3) The refined gold is to be reexported to the foreign exporter or, pursuant to his order, to a foreign resident or foreign organization; and

(4) The exportation of the gold-bearing material from the country of origin and the importation of the refined gold into the country or countries of importation are authorized under the applicable laws and regulations of such countries;

Provided, further, That such gold is imported, acquired, and held, transported, melted and treated as permitted in §§ 54.12 to 54.20, inclusive, or in accordance with a license issued under § 54.32 and subject to the following provisions:

(a) *Notation upon entry.* Upon the formal entry into the United States of any gold-bearing materials, the importer shall declare to the collector of customs at the port where the material is formally entered that the importation is made with the intention of exporting the gold refined therefrom to the foreign exporter, or pursuant to his order. The collector shall make on the entry a notation to this effect and forward a copy of the entry to the United States assay office at New York or to the United States mint at San Francisco, whichever is designated by the importer.

(b) *Sampling and assaying.* Promptly upon the receipt of each importation of gold-bearing material at the plant where it is first to be treated, it shall be weighed, sampled, and assayed for the gold content. A reserve commercial sample shall be retained by such plant for at least 1 year from the date of importation, unless the assay is sooner verified by the Bureau of the Mint.

(c) *Plant records.* The importer shall cause an exact record, covering each importation, to be kept at the plant of first treatment. The records shall show the gross wet weight of the importation, the weight of containers, if any, the net wet weight, the percentage and weight of moisture, the net dry weight, and the gold content shown by the settlement assay. An attested copy of such record shall be filed promptly with the assay office at New York or the mint at San Francisco, whichever has been designated to receive a copy of the entry. The plant records herein required to be kept shall be available for examination by a representative of the Treasury Department for at least 1 year after the date of the disposition of such gold.

(d) *Application for export license.* Not later than 3 months from the date of entry the importer shall file with the New York assay office or the mint at San Francisco, whichever has been designated to receive a copy of the entry, an application on form TG-16 for a permit to export refined gold not in excess of the amount shown by the settlement sheet covering the importation. The application shall be accompanied by two duly attested copies of the settlement sheet.

(e) *Issuance of serial numbered certificates.* If the assay office or mint is satisfied as to the accuracy of the data shown on such application, it shall issue to the importer a dated serial numbered certificate, which shall show the amount of gold specified by the application and the amount specified by the settlement sheet. The Director of the Mint shall prescribe the form of such certificate.

(f) *Issuance of export licenses.* Upon delivery of the serial numbered certificate to the assay office at New York or to the mint at San Francisco, whichever issued the certificate, within 120 days from the date the certificate was issued, and upon satisfactory compliance with the provisions of this section, the mint or assay office, with the approval of the Director, shall issue to the importer an export license or licenses on form TGL-16 to export refined gold in a total amount not exceeding the amount specified in the settlement sheet as shown on such certificate.

(g) *Exportation prior to receipt of settlement sheet.* Upon a showing in the application that an exportation with respect to any gold-bearing materials imported into the United States for refining is necessary prior to the time the settlement sheet can be procured, the assay office at New York or the mint at San Francisco, whichever was designated by the importer, may receive the application with duplicate certified copies of the report of the applicant's actual test assay. If prior reports of such applicant have been approximately substantiated by the settlement sheets, a license or licenses may be granted to export up to 90 per cent of the amount of gold which such report estimates will be realized from such gold-bearing materials.

(h) *Number of licenses to be issued.* No more than three licenses will be issued in connection with each importation of gold-bearing material.

§ 54.33 *Gold imported for reexport.* Gold may be imported, and transported for prompt export, and exported without the necessity of holding a license, provided the gold is exported promptly and remains under customs custody throughout the period during which it is within the customs limits of the United States. Except as provided in the foregoing sentence, gold may be imported for reexport, held, and transported within the United States under the provisions of this section only under license. The United States assay office at New York or the United States mint at San Francisco may, subject to the following provisions, issue licenses on form TGL-17 authorizing the importation, holding, transportation, and exportation of gold which the office or mint is satisfied is imported for prompt reexport.

(a) *Notation upon entry.* Upon the formal entry into the United States of gold intended for prompt reexport, the importer shall declare to the collector of customs at the port where the gold is formally entered that it is entered for prompt reexport. The collector shall make a notation of this declaration upon the entry and forward a copy of the entry to the assay office at New York or the mint at San Francisco, whichever is designated by the importer.

(b) *Application for license.* The importer shall forthwith file an application on form TG-17 with the assay office at New York or the mint at San Francisco, whichever has been designated to receive a copy of the entry.

(c) *License.* Upon receipt of the application and after making such investigation of the case as it may deem advisable, the assay office or mint to which the application is made, if satisfied that the gold was imported for prompt reexport, shall issue to the applicant a license on form TGL-17.

§ 54.34 *Licenses for other purposes.* The Secretary of the Treasury, with the approval of the President, shall issue licenses authorizing the acquisition, transportation, melting or treating, importing, exporting, or earmarking or holding in custody for foreign or domestic account of gold, for purposes other than those specified in §§ 54.21 to 54.30, inclusive, 54.32 and 54.33, which, in the

judgment of the Secretary of the Treasury, are not inconsistent with the purposes of the act, subject to the following provisions:

(a) *Applications.* Every application for a license under this section shall be made on form TG-18 and shall be filed in duplicate with the Federal Reserve bank for the district in which the applicant resides or has his principal place of business. Upon receipt of the application and after making such investigation of the case as it may deem advisable, the Federal Reserve bank shall transmit to the Secretary of the Treasury the original of the application, together with any supplemental information it may deem appropriate. The Federal Reserve bank shall retain the duplicate of the application for its records.

(b) *Licenses.* If the issuance of a license is approved, the Federal Reserve bank which received and transmitted the application will be advised by the Secretary of the Treasury and directed to issue a license on form TGL-18. If a license is denied, the Federal Reserve bank will be so advised and shall immediately notify the applicant. The decision of the Secretary of the Treasury with respect to the granting or denying of a license shall be final. If a license is granted, the Federal Reserve bank shall thereupon note upon the duplicate of the application therefor, the date of approval and issuance and the amount of gold specified in such license.

(c) *Reports.* Within 7 days of the disposition of the gold acquired or held under a license issued under this section, or within 7 days of export, if such exportation is authorized, the licensee shall file a report in duplicate on form TGR-18 with the Federal Reserve bank through which the license was issued. Upon receipt of such report, the Federal Reserve bank shall transmit the original thereof to the Secretary of the Treasury and retain the duplicate for its records.

SUBPART F—PURCHASE OF GOLD BY MINTS

§ 54.35 *Purchase by mints.* The mints, subject to the conditions specified in the regulations in this part, and the general regulations governing the mints, are authorized to purchase:

(a) Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof, and which shall not have entered into monetary or industrial use;

(b) Unmelted scrap gold;

(c) Gold (other than United States gold coin) imported into the United States after January 30, 1934; and

(d) Such other gold (other than United States gold coin) as may be authorized from time to time by rulings of the Secretary of the Treasury.³

Provided, however, That no gold shall be purchased by any mint or assay office under the provisions of this subpart which, in the opinion of the mint, has been held at any time in noncompliance with the act of March 9, 1933 (48 Stat. 1; 12 U. S. C. 95b, 95a, 248 (n), 95), any Executive orders or orders of the Secretary of the Treasury issued thereunder,

³ See Subpart H for General Rulings issued under the regulations in this part.

or in noncompliance with any regulations prescribed under such orders or licenses issued pursuant thereto or which, in the opinion of the mint, has been acquired and held, transported, melted or treated or held in custody in violation of the act or of regulations issued thereunder, including the regulations in this part.

§ 54.36 *Deposits.* Deposits of gold described in § 54.35 and rulings issued thereunder will be received in amounts of not less than 1 troy ounce of fine gold when deposited in the following forms: nuggets, grains, and dust which are in their native state free from earth and stone, or nearly so, retort sponge, lumps, unmelted scrap, coins, bars, kings, buttons, and filings, clippings, pieces, and the like. Deposits of gold shall not contain less than 200 parts of gold in 1,000 by assay. In the case of gold forwarded to a mint by mail or express, a letter of transmittal shall be sent with each package. When there is a material discrepancy between the actual and invoice weights of a deposit, further action in regard to it will be deferred pending communication with the depositor.

§ 54.37 *Rejection of gold by mint.* Deposits of gold which do not conform to the requirements of §§ 54.35 or 54.36, or which otherwise are unsuitable for mint treatment shall be rejected and returned to the person delivering the same at his risk and expense. Any deposit of gold which has been held at any time in noncompliance with the act of March 9, 1933, any Executive orders or orders of the Secretary of the Treasury issued thereunder, or in noncompliance with any regulations prescribed under such orders or licenses issued pursuant thereto, or in noncompliance with the act and any regulations issued thereunder, including the regulations in this part, or any licenses issued pursuant thereto or hereto may be held subject to the penalties provided in § 54.11, or section 2 or 3 of said act of March 9, 1933.

§ 54.38 *Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof.* (a) The mints shall not purchase any gold under § 54.35 (a) unless the deposit of such gold is accompanied by a properly executed statement as follows:

(1) A statement on form TG-19 shall be filed with each delivery of gold by persons who have recovered such gold by mining or panning in the United States or any place subject to the jurisdiction thereof.

(2) A statement on form TG-20 shall be filed with each delivery of gold by persons who have recovered such gold from gold-bearing materials in the regular course of their business of operating a custom mill, smelter, or refinery.

(3) A statement on form TG-21 together with a statement giving (i) the names of the persons from whom gold was purchased; (ii) amount and description of each lot of gold purchased; (iii) the location of the mine or placer deposit from which each lot was taken; and (iv) the period within which such gold was taken from the mine or placer deposit, shall be filed with each such delivery of gold by persons who have

purchased such gold directly from the persons who have mined or panned such gold.

(b) In addition, such persons shall show that the gold was acquired, held, melted and treated, and transported by them in accordance with a license issued pursuant to § 54.23, or that such acquisition, holding, melting and treating, and transportation is permitted under §§ 54.12 to 54.20, inclusive, without the necessity of holding a license.

§ 54.39 *Unmelted scrap gold.* No deposit of unmelted scrap gold shall be accepted unless accompanied by a properly executed statement on form TG-22. In addition the depositors of such gold shall establish to the satisfaction of the mint that the gold was acquired, held, and transported by them in accordance with the regulations in this part or a license issued pursuant thereto.

§ 54.40 *Imported gold.* The mints are authorized to purchase only such gold imported into the United States as has been in customs custody throughout the period in which it shall have been situated within the customs limits of the continental United States, and then only subject to the following provisions:

(a) *Notation upon entry.* Upon formal entry into the United States of any gold intended for sale to a mint under this subpart, the importer shall declare to the collector of customs at the port of entry where the gold is formally entered that the gold is entered for such sale. The collector shall make a notation of this declaration upon the entry and forward a copy to the mint designated by the importer.

(b) *Statement by importer.* Upon the deposit of the gold with the mint designated by the importer, the importer shall file a statement executed in duplicate on form TG-23.

§ 54.41 *Records and reports.* Every person delivering gold in accordance with this subpart, who is required to be licensed to hold gold, shall keep an exact record of all gold mined, acquired, and all deliveries of gold made by such person as provided in § 54.26, and shall file with the mint which issued the license the reports required under § 54.27. The mints shall not purchase gold under the provisions of this subpart from any person who has failed to comply with the regulations in this part or the terms of his license.

§ 54.42 *Purchase price.* The mints shall pay for all gold purchased by them in accordance with this subpart \$35.00 (less one fourth of 1 percent) per troy ounce of fine gold, but shall retain from such purchase price an amount equal to all mint charges. This price may be changed by the Secretary of the Treasury without notice other than by notice of such change mailed or telegraphed to the mints.

SUBPART G—SALE OF GOLD BY MINTS

§ 54.43 *Authorization to sell gold.* Each mint is authorized to sell gold to persons holding licenses on form TGL-13 or TGL-14, or to persons authorized under § 54.21 to acquire such gold for use in industry, profession, or art: *Provided,*

however, That no mint may sell gold to any person in an amount which, in the opinion of such mint, exceeds the amount actually required by such person for a period of 3 months. Prior to the sale of any gold under this subpart, the mint shall require the purchaser to execute and file in duplicate a statement on form TG-24, or, if such purchaser is in the business of furnishing gold for use in industries, professions, and arts, on form TG-25. The mints are authorized to refuse to sell gold in amounts less than 25 ounces, and shall not sell gold under the provisions of this subpart to any person who has failed to comply with the regulations in this part or the terms of his license.

§ 54.44 *Sale price.* The mints shall charge for all gold sold under this article \$35.00 (plus one fourth of 1 percent) per troy ounce of fine gold plus the regular mint charges. This price may be changed by the Secretary of the Treasury without notice other than by notice of such change mailed or telegraphed to the mints.

SUBPART H—GENERAL RULINGS ISSUED UNDER THE REGULATIONS IN THIS PART

§ 54.50 *Authority for mints to purchase additional categories of gold.* Pursuant to § 54.35 (d), each and every United States mint and assay office is authorized to purchase the following categories of gold at the purchase price prescribed under § 54.42, or at such price as may hereinafter be prescribed under authority of said section, subject to the conditions in the regulations in this part and in the general regulations governing the mints and subject to the conditions specified below:

(a) Gold refined (or the equivalent to gold refined) from gold-bearing material either imported into the United States pursuant to license on form TGL-13 for sale of the gold derived therefrom to a designated mint or assay office or imported into the United States under § 54.32 (notwithstanding the declaration made by the importer upon the entry into the United States of such gold-bearing material as required by § 54.32 (a)), whether such gold or gold-bearing material has been in customs custody throughout the period it has been within the customs limits of the continental United States, subject to the following provisions:

(1) In the case of gold-bearing material imported pursuant to license on form TGL-13, the importer shall declare to the collector of customs at the port of entry that the gold-bearing material is being imported for sale of the gold refined therefrom to a designated mint or assay office; the collector shall make on the entry a notation to this effect and forward a copy thereof to the mint or assay office designated by the importer.

(2) In the case of gold-bearing material imported under § 54.32, if the gold refined therefrom is offered to a mint or assay office other than the mint at San Francisco or the assay office at New York, the importer shall have caused the copy of the entry described in § 54.32 (a) to be forwarded to the mint or assay office to which he is offering the gold for sale

instead of to the mint at San Francisco or the assay office at New York.

(3) Before any gold may be purchased under this paragraph, the requirements of § 54.32 (b) and (c) must be shown to have been complied with; *Provided, however*, That any person importing gold-bearing materials for sale of the gold refined therefrom to a mint or assay office other than the mint at San Francisco or the assay office at New York shall have caused the attested copy of the record described in § 54.32 (c) to be forwarded to the mint or assay office to which he is offering the gold for sale instead of to the mint at San Francisco or the assay office at New York.

(4) Upon presentation of the gold to a mint or assay office for purchase, the importer shall file a statement executed in duplicate on form TG-26, together with two duly attested copies of the settlement sheet covering the gold-bearing material imported.

(5) No gold shall be accepted for purchase under authority of this paragraph unless it is delivered to the mint and all of the terms hereof complied with within seven months from the date of the formal entry into the United States of the gold-bearing material from which it was extracted.

(b) Gold contained in deposits of silver, other than newly-mined domestic silver, eligible for deposit at a mint or assay office for return in bar form: *Provided*, That such silver contains not less than 600 parts of silver in 1,000 and not more than 10 parts of gold in 1,000: *Provided further*, That the gold was not mixed with such silver for the purpose of selling gold to the United States which was not eligible for purchase by the United States under this section or under § 54.35 (a), (b), or (c).

(c) Gold filings, clippings, pieces and the like, from any person regularly engaged in an industry, profession, or art in which gold is used, processed, or manufactured, provided that such gold was not acquired in such form from any other person but accrued directly from, and as a result of, the legitimate, customary, and ordinary conduct of the depositor's industry, profession, or art. No gold shall be purchased under this paragraph unless the deposit thereof is accompanied by a duly executed statement on form TG-27 and unless the mint or assay office is satisfied that the gold was acquired, held, melted and treated, and transported in accordance with a license issued pursuant to § 54.23, or as permitted without a license under Subpart B or § 54.21.

(d) Gold refined from sweeps purchased from a United States mint or assay office. No gold shall be purchased under this paragraph unless the deposit of such gold is accompanied by a duly executed statement on form TG-28.

SUBPART I—INSTRUCTIONS ISSUED PURSUANT TO § 54.8 (a) OF THE REGULATIONS IN THIS PART

§ 54.60 Gold exported from Mexico.

To Collectors of Customs in the Continental United States:

Pursuant to the provisions of § 54.8 (a) of the regulations issued under the Gold Reserve Act of 1934, you are hereby instructed, effective immediately, and regardless of

whether said regulations are otherwise complied with, to refuse entry into the continental United States of gold in any form (including gold in its natural state) exported from Mexico, unless there is filed with you a certificate, duly certified by an officer of the Mexican Government, to the effect that such gold was or may be lawfully exported from Mexico. However, these instructions do not apply to

(1) "Fabricated gold" as defined in said regulations.

(2) Any substance, including gold in its natural state, which you are satisfied, after the filing of an appropriate affidavit by the importer, does not contain more than 5 troy ounces of fine gold per short ton.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

Approved:

FRANKLIN D. ROOSEVELT,
The White House,
March 11th, 1937.

APPENDIX—EXCERPTS FROM THE GOLD RESERVE ACT OF 1934, AS AMENDED

An act to protect the currency system of the United States, to provide for the better use of the monetary gold stock of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the short title of this Act shall be the "Gold Reserve Act of 1934." (31 U. S. C. 440)

SEC. 2. (a) Upon the approval of this Act all right, title, and interest, and every claim of the Board of Governors of the Federal Reserve System, of every Federal Reserve bank, and of every Federal Reserve agent, in and to any and all gold coin and gold bullion shall pass to and are hereby vested in the United States; and in payment therefor credits in equivalent amounts in dollars are hereby established in the Treasury in the accounts authorized under the sixteenth paragraph of section 16 of the Federal Reserve Act, as heretofore and by this Act amended (12 U. S. C. 467). Balances in such accounts shall be payable in gold certificates, which shall be in such form and in such denominations as the Secretary of the Treasury may determine. All gold so transferred, not in the possession of the United States, shall be held in custody for the United States and delivered upon the order of the Secretary of the Treasury; and the Board of Governors of the Federal Reserve System, the Federal Reserve banks, and the Federal Reserve agents shall give such instructions and shall take such action as may be necessary to assure that such gold shall be so held and delivered. (31 U. S. C. 441)

(b) * * *

SEC. 3. The Secretary of the Treasury shall, by regulations issued hereunder, with the approval of the President, prescribe the conditions under which gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked: (a) for industrial, professional, and artistic use; (b) by the Federal Reserve banks for the purpose of settling international balances; and, (c) for such other purposes as in his judgment are not inconsistent with the purposes of this Act. Gold in any form may be acquired, transported, melted or treated, imported, exported, or earmarked or held in custody for foreign or domestic account (except on behalf of the United States) only to the extent permitted by, and subject to the conditions prescribed in, or pursuant to, such regulations. Such regulations may exempt from the provisions of this section, in whole or in part, gold situated in the Philippine Islands or other places beyond the limits of the continental United States. (31 U. S. C. 442)

SEC. 4. Any gold withheld, acquired, transported, melted or treated, imported, exported,

or earmarked or held in custody, in violation of this Act or of any regulations issued hereunder, or licenses issued pursuant thereto, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law; and in addition any person failing to comply with the provisions of this Act or of any such regulations or licenses, shall be subject to a penalty equal to twice the value of the gold in respect of which such failure occurred. (31 U. S. C. 443)

SEC. 5. No gold shall hereafter be coined, and no gold coin shall hereafter be paid out or delivered by the United States; *Provided, however*, That coinage may continue to be executed by the mints of the United States for foreign countries in accordance with the Act of January 29, 1874 (31 U. S. C. 367). All gold coin of the United States shall be withdrawn from circulation, and, together with all other gold owned by the United States, shall be formed into bars of such weights and degrees of fineness as the Secretary of the Treasury may direct. (31 U. S. C. 315 (b))

SEC. 6. Except to the extent permitted in regulations which may be issued hereunder by the Secretary of the Treasury with the approval of the President, no currency of the United States shall be redeemed in gold: *Provided, however*, That gold certificates owned by the Federal Reserve banks shall be redeemed at such times and in such amounts as, in the judgment of the Secretary of the Treasury, are necessary to maintain the equal purchasing power of every kind of currency of the United States; *And provided further*, That the reserve for United States notes and for Treasury notes of 1890, and the security for gold certificates (including the gold certificates held in the Treasury for credits payable therein) shall be maintained in gold bullion equal to the dollar amounts required by law, and the reserve for Federal Reserve notes shall be maintained in gold certificates, or in credits payable in gold certificates maintained with the Treasurer of the United States under section 16 of the Federal Reserve Act, as heretofore and by this Act amended.

No redemptions in gold shall be made except in gold bullion bearing the stamp of a United States mint or assay office in an amount equivalent at the time of redemption to the currency surrendered for such purpose. (31 U. S. C. 408a)

SEC. 7. * * *

SEC. 8. Section 3700 of the Revised Statutes (31 U. S. C. 734) is amended to read as follows:

"SEC. 3700. With the approval of the President, the Secretary of the Treasury may purchase gold in any amounts, at home or abroad, with any direct obligations, coin, or currency of the United States, authorized by law, or with any funds in the Treasury not otherwise appropriated, at such rates and upon such terms and conditions as he may deem most advantageous to the public interest; any provision of law relating to the maintenance of parity, or limiting the purposes for which any of such obligations, coin, or currency, may be issued, or requiring any such obligations to be offered as a popular loan or on a competitive basis, or to be offered or issued at not less than par, to the contrary notwithstanding. All gold so purchased shall be included as an asset of the general fund of the Treasury." (31 U. S. C. 734)

SEC. 9. Section 3699 of the Revised Statutes (31 U. S. C. 733) is amended to read as follows:

"SEC. 3699. The Secretary of the Treasury may anticipate the payment of interest on the public debt, by a period not exceeding

one year, from time to time, either with or without a rebate of interest upon the coupons, as to him may seem expedient; and he may sell gold in any amounts, at home or abroad, in such manner and at such rates and upon such terms and conditions as he may deem most advantageous to the public interest, and the proceeds of any gold so sold shall be covered into the general fund of the Treasury: *Provided, however,* That the Secretary of the Treasury may sell the gold which is required to be maintained as a reserve or as security for currency issued by the United States, only to the extent necessary to maintain such currency at a parity with the gold dollar." (31 U. S. C. 733)

SEC. 10. (a) For the purpose of stabilizing the exchange value of the dollar, the Secretary of the Treasury, with the approval of the President, directly or through such agencies as he may designate, is authorized, for the account of the fund established in this section, to deal in gold and foreign exchange and such other instruments of credit and securities as he may deem necessary to carry out the purpose of this section. An annual audit of such funds shall be made and a report thereof submitted to the President. (31 U. S. C. 822a (a))

(b) To enable the Secretary of the Treasury to carry out the provisions of this section there is hereby appropriated, out of the receipts which are directed to be covered into the Treasury under section 7 hereof, the sum of \$2,000,000,000, which sum when available shall be deposited with the Treasurer of the United States in a stabilization fund (hereinafter called the "fund") under the exclusive control of the Secretary of the Treasury, with the approval of the President, whose decisions shall be final and not be subject to review by any other officer of the United States. The fund shall be available for expenditure, under the direction of the Secretary of the Treasury and in his discretion, for any purpose in connection with carrying out the provisions of this section, including the investment and reinvestment in direct obligations of the United States of any portions of the fund which the Secretary of the Treasury, with the approval of the President, may from time to time determine are not currently required for stabilizing the exchange value of the dollar. Such fund shall not be used in any manner whereby direct control and custody thereof pass from the President and the Secretary of the Treasury. The proceeds of all sales and investments and all earnings and interest accruing under the operations of this section shall be paid into the fund and shall be available for the purposes of the fund. (31 U. S. C. 822a (b))

(c) The Secretary of the Treasury is directed to use \$1,800,000,000 of the fund established in this section to pay part of the subscription of the United States to the International Monetary Fund; and any repayment thereof shall be covered into the Treasury as a miscellaneous receipt. (31 U. S. C. 822a (c))

SEC. 11. The Secretary of the Treasury is hereby authorized to issue, with the approval of the President, such rules and regulations as the Secretary may deem necessary or proper to carry out the purposes of this Act. (31 U. S. C. 822b)

SEC. 12. * * * (Expired) * * *

Paragraph (2) of subsection (b) of section 43, title III, of an Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended by adding at the end of said paragraph (2) the following:

"The President, in addition to the authority to provide for the unlimited coinage of silver at the ratio so fixed, under such terms and conditions as he may prescribe, is further authorized to cause to be issued and delivered to the tenderer of silver for coinage, silver certificates in lieu of the standard silver dollars to which the tenderer would be entitled and in an amount in dollars equal to the number of coined standard silver dollars that the tenderer of such silver for coinage would receive in standard silver dollars.

"The President is further authorized to issue silver certificates in such denominations as he may prescribe against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, and to coin standard silver dollars or subsidiary currency for the redemption of such silver certificates.

"The President is authorized, in his discretion, to prescribe different terms and conditions and to make different charges, or to collect different seigniorage, for the coinage of silver of foreign production than for the coinage of silver produced in the United States or its dependencies. The silver certificates herein referred to shall be issued, delivered, and circulated substantially in conformity with the law now governing existing silver certificates, except as may herein be expressly provided to the contrary, and shall have and possess all of the privileges and the legal tender characteristics of existing silver certificates now in the Treasury of the United States, or in circulation.

"The President is authorized, in addition to other powers, to reduce the weight of the standard silver dollar in the same percentage that he reduces the weight of the gold dollar.

"The President is further authorized to reduce and fix the weight of subsidiary coins so as to maintain the parity of such coins with the standard silver dollar and with the gold dollar." (31 U. S. C. 821 (b) (2))

SEC. 13. All actions, regulations, rules, orders, and proclamations heretofore taken, promulgated, made or issued by the President of the United States or the Secretary of the Treasury, under the Act of March 9, 1933, or under section 43 or section 45 of title III of the Act of May 12, 1933, are hereby approved, ratified, and confirmed. (12 U. S. C. 213; 31 U. S. C. 824)

SEC. 14. * * *
(c) The Secretary of the Treasury is authorized to issue gold certificates in such form and in such denominations as he may determine, against any gold held by the Treasurer of the United States, except the gold fund held as a reserve for any United States notes and Treasury notes of 1890. The amount of gold certificates issued and outstanding shall at no time exceed the value, at the legal standard, of the gold so held against gold certificates. (31 U. S. C. 405b)

SEC. 15. As used in this Act the term "United States" means the Government of the United States; the term "the continental United States" means the States of the United States, the District of Columbia, and the Territory of Alaska; the term "currency of the United States" means currency which is legal tender in the United States, and includes United States notes, Treasury notes of 1890, gold certificates, silver certificates, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banking associations; and the term "person" means any individual, partnership, association, or corporation, including the Board of Governors of the Federal Reserve System, Federal Reserve banks, and Federal Reserve agents. Wherever reference is made in this Act to equivalents as between dollars or currency of the United States and gold, one dollar or one dollar face amount of any currency of the United States equals such a number of grains of gold, nine tenths fine, as, at the time referred to, are contained in the stand-

ard unit of value, that is, so long as the President shall not have altered by proclamation the weight of the gold dollar under the authority of section 43, title III, of the Act approved May 12, 1933, as heretofore and by this Act amended, twenty-five and eight tenths grains of gold, nine tenths fine, and thereafter such a number of grains of gold, nine tenths fine, as the President shall have fixed under such authority. (31 U. S. C. 444)

SEC. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any provisions of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby. (31 U. S. C. 445)

SEC. 17. All Acts and parts of Acts inconsistent with any of the provisions of this Act are hereby repealed. (31 U. S. C. 446)

[F. R. Doc. 48-4579; Filed, May 20, 1948; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 406]

PART 802—GENERAL LICENSES

SHIPMENTS OF LIMITED VALUE "GLV"

Section 802.10 *Shipments of limited value "GLV"* is amended in the following particulars:

1. Subparagraph (1) of paragraph (c), *General provisions*, is amended to read as follows:

(c) *General provisions.* (1) Subject to the special provisions as designated and set forth below in this section, all commodities included in the Positive List of Commodities, Appendix A of this subchapter, which have a dollar value specified may be exported to Group R destinations, or to Group O destinations where, in a single shipment, the net value of the commodities classified in a single entry in the Positive List does not exceed the specified dollar value limit in the column headed "GLV Dollar Value Limits."

2. A new paragraph (e) is added to read as follows:

(e) *Special provisions for streptomycin.* Exportations of streptomycin under the provisions of General License "GLV" are permitted only when such shipments are made in conformity with the following conditions:

(1) Regardless of the number of shipments and number of consignees involved, no streptomycin of a total net value in excess of the specified dollar value limit of \$100, as set forth in the Positive List of Commodities, may be exported by or on behalf of any one exporter during the same calendar week.

(2) Any person making an exportation of streptomycin under this general license shall enter on his Shipper's Export Declaration covering such shipment an additional certification in the following form:

The undersigned certifies to the Department of Commerce that the total value of all export shipments of streptomycin (in-

cluding this shipment) made under general license GLV by the undersigned exporter to all consignees does not exceed \$100 during the current calendar week.

Signed

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

This amendment shall become effective as of May 14, 1948.

Dated: May 18, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-4593; Filed, May 20, 1948;
8:52 a. m.]

[Amdt. 405]

PART 803a—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

EXPORT LICENSING GENERAL POLICY

Section 803a.1 *Export licensing general policy* is amended to read as follows, superseding the existing provisions of said section:

§ 803a.1 *Export licensing general policy.* The following general, but not exclusive, policy for export licensing and related procedures are hereby established.

(a) *Price.* (1) The provisions of section 3 (b) of Public Law 395 (80th Congress) regarding price will be applied as one of the licensing criteria only when the export price for the specific commodity is obviously excessive.

Commodity Advisory Panels or Commodity Advisory Committees will be consulted whenever possible in determining what constitutes obviously excessive prices.

(2) The price to be stated on the export license application must be the export contract price and the point of delivery must be clearly indicated. If point of delivery is other than the intended port of exit, the intended port of exit must also be shown. The exportation may not be made or invoiced at a price in excess of that stated on the validated license.

(3) Where the normal trade practice in a given commodity makes it impracticable to establish a firm contract price, the precise terms upon which the price is to be ascertained and from which the contract price may be objectively determined must be stated on the application. A mere statement by the exporter of "market price, at time of delivery or shipment" or other such general statement of price will not be acceptable.

(b) *Evidence of accepted order.* (1) Exporters are required to submit with each license application clear evidence of an accepted order covering the transaction between the applicant and the foreign buyer. Such transactions may, nevertheless, be conditioned upon satisfactory payment arrangements or upon the issuance of an export license, import permit, exchange permit or such other

government document as may be required. This evidence may take the form of an original or photostat copy of either the contract signed by both the exporter and importer, or of letters, telegrams, cables or other documents resulting in a contract between the applicant and the foreign buyer.

(2) Evidence of orders from a foreign purchaser need not be submitted where the amount of the transaction covered by the application is not more than \$100 in value or not more than twice the GLV value of the named commodity, whichever is higher. However, the exporter must keep such evidence available for inspection upon request by the Department of Commerce for the duration of export control.

(c) *End use.* Where commodities are licensed for export on the basis of the specific end use to which the material will be applied abroad, applications will be considered for approval only if they conform to appropriate end uses.

(d) *Historical basis for granting export licenses.* Throughout the war years and the postwar period, a controlling factor in the granting of export licenses was the historical basis, whereby the bulk of export quotas was reserved for those exporters who had established America's export trade during a base period of severe competition when there were no export controls. While the historical basis will not be the predominating factor in licensing commodities subject to the provisions of this section, it may be taken into consideration together with other criteria when quotas are oversubscribed in order to ensure, insofar as possible, a fair and equitable distribution of available quotas.

(e) *Foreign government recommendations.* The Office of International Trade reserves the right in all respects to determine to what extent any recommendations made by foreign governments should be followed. However, the Office of International Trade will not seek or undertake to give consideration to recommendations from foreign governments as to the United States exporters whose license applications should be approved.

(f) *U. S. Government and foreign government procurement.* (1) For such purchases as may be made by agencies of the United States Government licenses, where required, will be issued to the United States purchasing agency or its designee making the export shipment, but such exports will be authorized only where it is evident that the use of private trade channels is inappropriate.

(2) Procurement by foreign governments will be subject to continuous review in line with the announced policy of the United States to maximize the restoration of private trade, and in every instance the foreign government will be requested, before it buys any commodity, to establish the competitive nature of its procurement.

(g) *Commodity Advisory Panels and Committees.* Commodity Advisory Panels and Committees, as provided by the order establishing such panels and committees, dated March 25, 1948 (13 F. R. 1646), will be consulted regarding prob-

lems arising in the administration of the provisions of this section.

(h) *Commodities subject to this export licensing policy.* The export licensing policy set forth in the preceding paragraphs of this section shall be applicable to the following commodities:

(1) All commodities with the following processing code symbols of the Office of International Trade as are included on the Positive List of Commodities:

ACID	NATS
CERL	PLAT
COAL	SALT (except diffusion pump oils,
CONT	Schedule B No.
DAPF	829980)
DRUG (except streptomycin, Schedule B No. 813575)	SEED
DYES	STEE
FATS	TEXT
FERT	TNPL
MEAT	TRAN
	VEGT

(2) In addition, the following commodities included on the Positive List of Commodities:

Commodity	Schedule B No.
Wood, unmanufactured.....	401200, 401400, 401700, 401900, 402600, 403400
Railroad ties.....	415600
Oak flooring.....	413100
Other hardwood flooring.....	413200
Plywood.....	421407
Port Orford cedar veneers.....	421603
Doors.....	422600
Trim and moulding.....	422800
Sash and blinds.....	423200
Wood prefabricated houses.....	423950
Panels and sections.....	423990
Other millwork.....	423990
Port Orford cedar battery separators.....	429900
Petroleum coke.....	504800
Mineral wax: ceresin, orange and white; and hardening.....	596025
Steel prefabricated houses.....	604600
Cast iron soil pipe.....	606805
Cast iron soil pipe fittings.....	606898
Aluminum houses.....	630998
Lead and manufactures.....	650406 to 651598, incl.
Tin and manufactures.....	656502 to 656598, incl.
Babbitt metal (report scrap and dross in 664998).....	662000
Antimony ores and concentrates (antimony matter, containing lead).....	664501
Bismuth matte, slimes, residues and base bullion.....	664510
Antimony (include metals or regulus, needle or liquated antimony, alloys and antimony-bearing scrap metal).....	664901
Beryllium metal.....	664905
Bismuth metals and alloys.....	664910
Cadmium metals (include metallic shapes).....	664915
Cadmium alloys.....	664917
Radium metal (radium content).....	664950
Babbitt metal, dross and scrap; gallium metal; and polonium metal.....	664993
Type (include multigraph type) (report type metal in 651505).....	667000

This amendment shall become effective June 1, 1948, except that with respect to license applications submitted for the third calendar quarter of 1948 and subsequent quarters it shall become effective May 18, 1948. License applications heretofore filed or filed prior to June 1, 1948 which can be acted upon during the second calendar quarter of 1948 will be considered for licensing without regard to this amendment.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215,

61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: May 17, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-4592; Filed, May 20, 1948;
8:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

[CGFR 48-27]

PART 1—GENERAL ORGANIZATION AND JURISDICTION

SUBPART 1.10—FIELD ORGANIZATION

By virtue of the authority vested in me by the act of August 29, 1916, Chapter 417, 39 Stat. 601; 14 U. S. C. 95, and effective June 1, 1948, § 1.10-5 (13 F. R. 1815) is amended by changing the description of the area comprising the Fifth Coast Guard District to read as follows:

§ 1.10-5 *Coast Guard districts and offices.* * * *

Fifth—Maryland, Virginia, North Carolina and the District of Columbia.

(39 Stat. 601; 14 U. S. C. 95)

Dated: May 14, 1948.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-4594; Filed, May 20, 1948;
8:53 a. m.]

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 207—NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), § 202.92 establishing a restricted area for seaplanes at the Naval Air Station, Alameda, California, and setting forth regulations relating thereto, is hereby revoked, § 202.90 (a) (9) is hereby amended by redefining Anchorage No. 9, and § 202.90 (a) (9-1) is added establishing Anchorage No. 9-A, in San Francisco Bay, as follows:

§ 202.90 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough, and San Joaquin River, Calif.*—(a) *The anchorage grounds.* All bearings are referred to true meridian. * * *

SAN FRANCISCO BAY

(9) *Anchorage (general) No. 9.* The area on the east side of San Francisco Bay bounded as follows: Beginning at

the shoreward end of the breakwater which protects the turning basin at the Naval Air Station, Alameda; thence along the said breakwater to a point bearing 48°, 7,100 yards, from Hunters Point Light (Point Avisadero); thence to a point bearing 36°30', 6,650 yards, from Hunters Point Light; thence to a point bearing 17°, 5,700 yards, from Hunters Point Light; thence to a point bearing 343°30', 4,000 yards, from Hunters Point Light; thence to a point bearing 343°30', 3,330 yards, from Hunters Point Light; thence 146° to a point 1,000 yards northerly from the Hayard-San Mateo Bridge; thence easterly along a line 1,000 yards northerly from and parallel to the said bridge to the shore; thence northwesterly along the shore to the point of beginning, including all of San Leandro Bay. The following areas are excluded from this anchorage: The seaplane restricted area at the Naval Air Station, Alameda, described in § 207.625 of this chapter; Anchorage (explosives) No. 14 and the surrounding forbidden anchorage described in subparagraph (14) of this paragraph; Anchorage (explosives storage) No. 15 and the surrounding forbidden anchorage described in subparagraph (15) of this paragraph; and Anchorage (explosives storage) No. 16 and the surrounding forbidden anchorage described in subparagraph (16) of this paragraph.

(9-1) *Anchorage (general) No. 9-A.* The area on the east side of San Francisco Bay south of a line bearing 270°, 400 yards, from the outer end of the south fender of the former automobile ferry slip at the end of the Alameda Mole; southeast of a line bearing thence 216°, approximately 1,950 yards; northeast of a line bearing 127° from Alcatraz Island Light to a point approximately 1,200 yards from the last-mentioned point; and northwest of a line bearing thence 36° to the shore. The cable area adjacent to the Alameda Mole is excluded from this anchorage.

§ 202.92 *San Francisco Bay, Calif.; restricted area for seaplanes at Naval Air Station, Alameda, Calif.* [Revoked.]

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 207.625 is hereby prescribed establishing a portion of San Francisco Bay south of the Naval Air Station, Alameda, California, as a restricted seaplane operating area and setting forth regulations relating thereto, as follows:

§ 207.625 *San Francisco Bay; seaplane restricted area, Naval Air Station, Alameda, Calif.*—(a) (1) *The seaplane restricted area.* The waters of San Francisco Bay south of the Naval Air Station, Alameda, California, bounded as follows: Beginning at a point bearing 17° true, 5,700 yards, from Hunters Point Light (Point Avisadero); thence to a point bearing 17° true, 4,050 yards, from Hunters Point Light; thence to a point bearing 85° true, 5,300 yards, from Hunters Point Light; thence to a point bearing 86° true, 7,075 yards, from Hunters Point Light; thence to a point bearing 73° true,

9,160 yards, from Hunters Point Light; thence to a point bearing 70°30' true, 9,300 yards, from Hunters Point Light; thence to a point bearing 36°30' true, 6,650 yards, from Hunters Point Light; thence to the point of beginning.

(2) *The take-off zone.* The area in San Francisco Bay southeast of the southeast boundary of Anchorage (general) No. 8 described in § 202.90 (a) (3) of this chapter; north of the north boundary of Anchorage (general) No. 9 described in § 202.90 (a) (9); northwest of the seaplane restricted area described in subparagraph (a) (1) of this section; and southwest of the southwest boundary of Anchorage (general) No. 9-A described in § 202.90 (a) (9-1).

(b) *The regulations.* (1) Except as provided in subparagraph (2) of this paragraph, no surface watercraft shall be operated or anchored in the seaplane restricted area except those attendant upon seaplane operations of the United States Navy or such other watercraft as have been given specific permission by the enforcing agency.

(2) Surface watercraft may pass through the northerly part of the seaplane restricted area in a channel-way 800 feet wide adjacent to the southerly side of the breakwater protecting the turning basin at the Naval Air Station, turning at the western end of said breakwater, in a northwesterly direction, and connecting with the channel to said turning basin. Craft navigating this channel-way shall pass directly through and shall obey such verbal instructions regarding passage as may be given from the control tower on said breakwater.

(3) Vessels entering the take-off zone shall proceed through as necessary without delay. This area shall not be used for such purposes as drills, swinging ship, or other operations which would delay the vessel beyond the time required for normal transit. The enforcing agency may make exceptions to the provisions of this subparagraph if seaplane operations permit.

(4) This section shall be enforced by the Commander, Naval Air Station, Alameda, California, and such agencies as he may designate.

[Regs. Apr. 30, 1948, CE 800.2121 (San Francisco Bay, Calif.)—ENGWR] (38 Stat. 1053; 40 Stat. 266; 33 U. S. C. 1, 471)

[SEAL] H. B. LEWIS,
Major General,
Acting The Adjutant General.

[F. R. Doc. 48-4575; Filed, May 20, 1948;
8:47 a. m.]

Chapter V—Coast and Geodetic Survey, Department of Commerce

PART 520—TRAINING GRANTS IN GEODETIC SURVEYING, MAP AND CHART PRODUCTION AND HYDROGRAPHIC SURVEYING FOR CITIZENS FROM OTHER AMERICAN REPUBLICS

Sec.
520.1 Type of training grants.
520.2 Qualifications.
520.3 Award of training grants.
520.4 Allowances and expenses.
520.5 Duration of training grants.
520.6 Progress reports.
520.7 Official notification.

AUTHORITY: §§ 520.1 to 520.7, inclusive, issued under R. S. 161, 53 Stat. 1290, 57 Stat. 281, 5 U. S. C. 22, 22 U. S. C. 501, 502.

§ 520.1 *Type of training grants.* Training grants shall be of the in-service training type and may include instruction and practical training in one or more of the following branches of surveying or chart production:

(a) *Geodetic surveying.* Triangulation, base measuring, astronomic observation and leveling; and related office practices.

(b) *Chart production.* Planning and administration of chart production programs; basic cartographic procedures; preparation and use of fundamental field data; elements of map projection; and methods of reproduction of maps and charts.

(c) *Hydrographic surveying.* Hydrographic surveying and mapping practices, including training in tide and current surveys, magnetic work, assembling and processing field data as necessary for chart and map compilation.

Trainees may be assigned for study and training in the headquarters offices of the United States Coast and Geodetic Survey in Washington, D. C., and in the offices of other governmental offices and agencies engaged in related work, and may also be afforded opportunities for practical training and experience with field parties of the United States Coast and Geodetic Survey operating in the United States, its territories or possessions.

§ 520.2 *Qualifications.* Each applicant selected for a training grant shall be:

(a) A bona fide citizen of one of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or training, or the performance of any activity incident to his training grant;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possess intellectual ability and suitable personal qualities;

(e) In possession of an official statement or transcript of studies showing that he has the requisite experience and has successfully completed the minimum educational requirement corresponding to the field of studies in which application for a training grant is made, as follows:

(1) *Geodetic surveying.* A standard four-year course (or the equivalent) in civil engineering at a recognized institution of learning, which included a course in surveying (or a special branch thereof); or in lieu of such civil engineering course, practical field experience of a responsible nature (in surveying) for an equal length of time;

(2) *Map and chart production.* A standard four-year course (or the equivalent) in civil engineering at a recog-

nized institution of learning, which included a course in surveying (or a special branch thereof); or in lieu of such civil engineering course, practical field experience of a responsible nature in surveying for an equal length of time; or ten years of practical experience in the graphic arts, at least three years of which shall have been in the reproduction of maps or charts;

(3) *Hydrographic surveying.* (i) At least five years of service with the governmental agency of his country (of which he shall be a responsible staff member or technician at the time of the award of the training grant) which is engaged in substantially the same work as performed by the United States Coast and Geodetic Survey; and (ii) some familiarity with modern hydrographic methods and practices.

§ 520.3 *Award of training grants.* Applications for training grants shall be submitted by the government of the American republic of which the applicant is a citizen, through the American diplomatic mission accredited to that country, to the Secretary of State for transmittal to the Director of the United States Coast and Geodetic Survey. Training grants shall be awarded by the Director of the United States Coast and Geodetic Survey with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 520.4 *Allowances and expenses.* Allowances and expenses shall be as provided in State Department regulations given in 22 CFR, 1944 Supp., 28.1-28.12; and as provided in Department of Commerce Administrative Order No. 202-3.¹

§ 520.5 *Duration of training grants.* Training grants may be awarded for periods varying in accordance with the field of studies in which application for a training grant is made; as follows:

(a) *Geodetic surveying.* Not exceeding eight months of actual study and training.

(b) *Map and chart production.* Not exceeding eight months of actual study and training.

(c) *Hydrographic surveying.* Not exceeding five months of actual study and training.

Training grants may be extended for not exceeding the same periods in the manner prescribed under § 520.3 and subject to the availability of appropriations. Training grants may be cancelled for cause by the Director of the United States Coast and Geodetic Survey, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 520.6 *Progress reports.* Progress reports indicating experience and giving general impressions shall be submitted to the Director of the United States Coast and Geodetic Survey by each trainee at such intervals as may be determined by the Director. At the conclusion of the training grant a general report shall be

¹ Not filed with the Division of the Federal Register.

submitted to the Director of the United States Coast and Geodetic Survey.

§ 520.7 *Official notification.* Each applicant selected for a training grant by the Director of the United States Coast and Geodetic Survey, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall name the field of study in which the award is made, describe the program of studies and training, and state the duration of the training grant and the allowances authorized: *Provided, however,* That the Director of the United States Coast and Geodetic Survey may subsequently amend the program of study and training and the duration of the training grant if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the trainee than that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

[SEAL]

J. H. HAWLEY,
Acting Director,
U. S. Coast and Geodetic Survey.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4590; Filed, May 20, 1948;
8:50 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter II—Children's Bureau, Federal Security Agency

PART 204—EMERGENCY MATERNITY AND INFANT CARE SERVICES

LIQUIDATION OF PROGRAM

By virtue of the authority vested in the Commissioner for Social Security by the Labor-Federal Security Appropriation Act, 1948, Public Law 165, 80th Congress, 1st Session, approved July 8, 1947, Title II, subheading "Children's Bureau"; section 1, Reorganization Plan No. 2 of 1946, 11 F. R. 7873; and, Agency Order No. 9, 12 F. R. 479, the following changes in existing regulations and additional regulations are prescribed with respect to the Emergency Maternity and Infant Care Services Program:

1. Section 204.1 of the regulations heretofore issued governing this program (42 CFR, Cum. Supp. 204.1) is hereby amended by striking out the words "and 6 months following its termination" and inserting in place thereof the words "and ending on June 30, 1949."

2. Section 204.2 of the regulations heretofore issued governing this program (42 CFR, 1945 Cum. Supp. 204.2) is hereby amended by striking out the period at the end thereof, inserting a comma and adding the following words: "Provided, That, such wives and infants are determined to have been eligible for

such care on or before June 30, 1947 in accordance with the provisions of the regulations contained in this part, the policies of the Children's Bureau in effect upon that date and the approved State Plans."

3. The following new regulations making special provision for the liquidation of the program are hereby prescribed:

§ 204.8 *Limitations on availability of Federal funds (Fund E)*—(a) *Closing dates.* To the extent of the allotments made for such purposes and in accordance with the provisions of the regulations contained in this part, the applicable policies of the Children's Bureau and the approved State plans, Federal funds will be available only for:

(1) The necessary costs of maternity care provided to persons eligible therefor where:

(i) Such care is provided prior to June 1, 1948, and

(ii) The authorization for the provision of such care is issued prior to July 1, 1948;

(2) The necessary costs of infant care provided to infants eligible therefor where:

(i) Such care is provided prior to April 20, 1949, and

(ii) The authorization for the provision of such care is issued prior to May 20, 1949; and

(3) The necessary administrative expenses in connection with the administration and liquidation of the program, where such administrative services are provided and expenses incurred prior to July 1, 1949.

(b) *Reopened cases.* The limitations contained in this section are not intended to preclude the reopening of cases solely for the purpose of permitting the payment of obligations previously incurred for services authorized and provided, where such cases were closed without the payment of such obligations because of

the failure on the part of those providing the services to submit requests for payment, *Provided*, That, Federal funds will not be available for expenditures with respect to any case reopened for such purpose after June 30, 1949.

§ 204.9 *Retention of program records.* All records pertaining to the program, as required under § 204.4 (b), shall be kept until such time as the State Health Agency is notified by the Children's Bureau of the final adjustment of payments and accounts between the State Health Agency and the Federal Government with respect to the program.

§ 204.10 *Retention of program equipment and supplies.* All supplies, equipment and other property purchased for the program from Federal funds shall be safely held by the State Health Agency for such future disposition as the Chief of the Children's Bureau may direct.

§ 204.11 *Final reports, adjustments and grants.* To assure the most expeditious liquidation of the program and the prompt settlement of the Federal-State accounts, the Chief of the Children's Bureau shall establish such policies as may be necessary therefor with respect to (a) the submission by the State Health Agencies, at the earliest possible date, of final reports of expenditures made and legal obligations incurred in connection with the conduct of the program, and (b) the certification, within the allotments made in accordance with § 204.3, of final grants to the States, subject to such adjustments as may be necessary to reflect the results of an audit of the program accounts.

4. The foregoing changes and additions shall become effective on the date of the publication thereof in the **FEDERAL REGISTER**.

(Pub. Law 165, 80th Cong.; sec. 1, Reorg. Plan No. 2 of 1946, 11 F. R. 7873)

Dated: May 14, 1948.

[SEAL]

A. J. ALTMAYER,
Commissioner.

Approved: May 17, 1948.

J. DONALD KINGSLEY,
Acting Federal Security
Administrator.

[F. R. Doc. 48-4580; Filed, May 20, 1948;
8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter A—Alaska

[Circular 1679]

PART 67—INDIANS AND ESKIMOS

RESERVATIONS FOR INDIANS AND ESKIMOS

Section 67.19 relating to reservations for Indians and Eskimos, in Alaska, is amended by adding thereto a paragraph reading as follows:

The act of May 31, 1938 (52 Stat. 593; 48 U. S. C. 353a), authorizes the Secretary of the Interior in his discretion to withdraw, subject to any valid existing rights, and permanently reserve, small tracts of not to exceed 640 acres each of the public domain in Alaska, for schools, hospitals, and such other purposes as may be necessary in administering the affairs of the Indians, Eskimos, and Aleuts of Alaska.

(R. S. 453, 2478; 43 U. S. C. 2, 1201)

THOS. C. HAVELL,
Assistant Director.

Approved: May 14, 1948.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

[F. R. Doc. 48-4569; Filed, May 20, 1948;
8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

STOCK DRIVEWAY WITHDRAWAL NO. 1, COLORADO NO. 1, REDUCED

The order of the Secretary of the Interior dated July 23, 1917, establishing Stock Driveway Withdrawal No. 1, Colorado No. 1, under section 10 of the act of December 29, 1916, 39 Stat. 865 (43 U. S. C. sec. 300), is hereby revoked as to the hereinafter described public lands.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on July 16, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days

from July 16, 1948, to October 15, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 26, 1948, to July 15, 1948, inclusive, such veterans and persons claiming preference

rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on July 16, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on October 16, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from September 25, 1948, to October 15, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on October 16, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satis-

factory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Pueblo, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Pueblo, Colorado.

The lands affected by this order are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 23 S., R. 70 W.,
Sec. 30, lots 1, 2, 3, and 4.
T. 23 S., R. 71 W.,
Sec. 25, S½S½;
Sec. 32, S½S½;
Sec. 33, S½SW¼, NE¼SW¼, and N½SE¼;
Sec. 34, N½S½;
Sec. 35, N½N½, SW¼NW¼, and NW¼SW¼.

The areas described aggregate 1076.36 acres.

These lands are steeply sloping, rough, and rocky in character.

C. GIRARD-DAVIDSON,
Assistant Secretary of the Interior.

MAY 14, 1948.

[F. R. Doc. 48-4641; Filed, May 20, 1948;
10:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2918 et al.]

ALL AMERICAN AVIATION, INC.

NOTICE OF HEARING

In the matter of the suspension of the certificate of public convenience and necessity held by All American Aviation, Inc. under section 401 (h) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on May 26, 1948, at 10:00 a. m. (eastern daylight saving time) in Room 131, Wing C, T-5 Building located south of Constitution Avenue at 16th Street, NW., Washington, D. C., before Examiner Warren E. Baker.

For further details in this proceeding interested parties are referred to Board's order Serial No. E-494 and other papers filed in the docket of this proceeding in

the Docket Section of the Civil Aeronautics Board.

Without limiting the scope of the issues to be considered particular attention will be directed to the following matter:

1. Whether the public convenience and necessity require that the aforesaid amended certificate of public convenience and necessity for route No. 49 be suspended in whole or in part and, if so, for what period and to what extent?

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before May 26, 1948, a statement setting forth the issues of fact or law raised by said application which he desires to support or controvert.

Dated at Washington, D. C., May 17, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-4576; Filed, May 20, 1948;
8:47 a. m.]

[Docket No. 3323]

MID-CONTINENT AIR LINES, INC.

NOTICE OF HEARING

In the matter of the application of Mid-Continent Air Lines, Inc., for amendment of its temporary certificate of public convenience and necessity for route No. 80 under section 401 of the Civil Aeronautics Act of 1938, as amended, so as to redesignate the point Longview, Texas, as Longview-Kilgore-Glade-water, Texas.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the above-entitled proceeding is assigned for hearing on Thursday, May 27, 1948, at 10:00 a. m., (eastern daylight saving time) in Room 131, Wing "C" Temporary Building No. 5, 15th Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Without limiting the scope of the issues presented by the parties in this proceeding, particular attention will be directed to the following matters and questions:

1. Whether the proposed service is required by the public convenience and necessity.

2. Whether the applicant is a citizen of the United States and is fit, willing, and able to perform the service for which it is applying and to conform to the provisions of the act and the rules, regulations, and requirements of the Board promulgated thereunder.

Notice is further given that any person desiring to be heard in opposition to the above application must file with the Board on or before May 27, 1948, a statement setting forth the issues of fact or law which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., May 17, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-4578; Filed, May 20, 1948;
8:48 a. m.]

[Docket No. 3278]

TEMPORARY PERMIT; AERO-TRANSPORTES, S. A.

NOTICE OF HEARING

In the matter of the application of Aero-Transportes, S. A., for a renewal of its temporary foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended, authorizing use of the airport at Brownsville, Texas, for one year.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001, that a hearing in the above-entitled proceeding is assigned to be held on May 27, 1948, at 10:00 a. m. (eastern daylight time) in Room 2070, Temp. Building No. 5, South of Constitution Avenue between 16th and 17th Streets, N. W., Washington, D. C., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will inure to the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing and able to perform such transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before May 27, 1948, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., May 17, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-4577; Filed, May 20, 1948;
8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1042]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

MAY 14, 1948.

Notice is hereby given that on April 27, 1948, an application was filed with the Federal Power Commission by Texas

Eastern Transmission Corporation (Applicant) a Delaware corporation with its principal office at Shreveport, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, (1) authorizing the construction and operation of a measuring station on Applicant's compressor station No. 5 at or near Little Rock, Pulaski County, Arkansas, and (2) authorizing the transportation in interstate commerce of natural gas for Arkansas-Louisiana Gas Company (Arkansas) for service to Little Rock and North Little Rock, Arkansas, and suburbs.

The application states that the service proposed to be rendered is to transport for Arkansas such quantities of natural gas as Arkansas may deliver to Applicant for transportation: *Provided*, That Applicant is able to transport said gas for said company without reducing the quantities of gas which Applicant could otherwise deliver to its present or future customers. Applicant has been advised that a critical emergency condition exists in the Little Rock area due to the fact that the transmission facilities of Arkansas across the Arkansas River have recently washed out and the capacity of the transmission facilities of Arkansas in said area is not adequate to meet the present and anticipated demands in said area.

Applicant was authorized by temporary order of the Commission on April 2, 1948, to construct the said measuring station and to render emergency service in order to deliver 10,000 Mcf of natural gas per day to Arkansas. Applicant states, however, that Arkansas will have a continuing need, particularly during the winter peak periods of 1948-1949 for more gas than its present transmission facilities can transport into the Little Rock area.

The application also states that the present transportation service of 10,000 Mcf (at 16.7 psi.) per day for Arkansas does not in any way reduce the deliveries Applicant would otherwise make to its customers. Applicant proposes that upon the termination of the emergency condition set forth in the application to transport such quantities of natural gas per day as Arkansas may desire so long as Applicant has excess capacity available in its system south and west of Little Rock and can accept such gas for transportation without being forced to reduce the deliveries Applicant would otherwise make to its present or future customers.

Applicant states that it needs no gas reserves in order to render the service proposed by this application. The total over-all capital cost of the proposed facility is \$6,090, which will be financed by funds on hand available to Applicant.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent

hearing, together with reasons for such a request.

The application of Texas Eastern Transmission Corporation is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 and 1.10).

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4566; Filed, May 20, 1948;
8:45 a.m.]

[Docket No. G-1047]

UNITED NATURAL GAS CO.

NOTICE OF APPLICATION

MAY 14, 1948.

Notice is hereby given that on May 10, 1948, an application was filed with the Federal Power Commission by United Natural Gas Company (Applicant), a Pennsylvania corporation with its principal place of business in Oil City, Pennsylvania, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing:

(1) Removal of approximately 20½ miles of 12-inch pipe line which is a part of Applicant's present system extending in a northeasterly direction from its Overbeck Measuring and Control Station in Millstone Township, Elk County, Pennsylvania, to its Lamont Compressing Station in Jones Township, Elk County, Pennsylvania, and the replacement of same by the construction of an equal length of 22¾-inch pipe line. Removal of the smaller line is to follow construction of the larger line.

(2) Construction of approximately 29.2 miles of 12¾-inch pipe line extending in a northerly direction from Applicant's Boone Mountain Storage Field in Horton Township, Elk County, Pennsylvania, to its Lamont Compressing Station above described.

(3) Construction of approximately 4½ miles of 10-inch or 12-inch pipe line extending northeasterly from Applicant's Knox Compressing Station in Knox Township, Jefferson County, Pennsylvania to its proposed Markle Storage Pool in Pinecreek Township, Jefferson County, Pennsylvania.

(4) Construction of approximately 1.2 miles of 10-inch pipe line extending northerly from Applicant's Mineral Compressing Station to its 10-inch line (S) in Mineral Township, Venango County, Pennsylvania.

(5) Construction of approximately 6 miles of 8¾-inch pipe line extending westerly from a point on Applicant's system near Brockway, Snyder Township, Jefferson County, Pennsylvania to a point

on Applicant's existing 8-inch gas line in Warsaw Township, Jefferson County, Pennsylvania.

(6) Construction of approximately 1.4 miles of 10-inch pipe line extending southwesterly from Applicant's 10-inch line (T-2) to its proposed Millcreek Storage in Millcreek Township, Clarion County, Pennsylvania.

(7) Construction of an addition to Applicant's Knox Compressor Station located at Knoxdale Field, Jefferson County, Pennsylvania, consisting of 3 additional compressor units of 150 horsepower each together with the necessary structures and equipment for operating same.

(8) Construction of an addition to Applicant's Lamont Compressor Station located in Kane Field, Elk County, Pennsylvania, consisting of 8 compressor units of 150 horsepower each together with the necessary buildings and equipment for the operation thereof.

Applicant states that the common purpose of the proposed construction and operation is to facilitate the movement to its customers of the additional supply of high load factor gas which it is now receiving and to regulate this movement so as to balance, in so far as possible, Applicant's total supply of gas with the varying seasonal demands of its customers.

Applicant further states that the proposed construction is part of a long range plan of improving its transmission and storage facilities so as to permit the taking of increased quantities of western gas under high load factor conditions in order to meet increasing demands of its customers in the face of rapidly depleting local sources of supply. Applicant represents that the proposed installations will permit the efficient operation of three additional storage areas, and will allow the utilization of higher pressures in the transmission system.

The estimated total over-all capital cost of the proposed facilities is \$3,057,000.

The financing of the proposed construction is to be accomplished by the sale of additional capital stock, registration of which is about to be made to the Securities and Exchange Commission.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of United Natural Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest.

Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10).

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4567; Filed, May 20, 1948;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP.
(DELAWARE)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of May 1948.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company. Applicant designates sections 11 and 12 (c) of the act and Rule U-46 as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 28, 1948 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 28, 1948, such application-declaration, as filed or as amended, may be permitted to become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of the Commission, for a statement of the transaction therein proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of \$1.50 per share or an aggregate of \$2,161,870 on the shares of its outstanding preferred stock. The dividend was declared on May 11, 1948, and is payable on the 28th day after the date of the order of this Commission permitting such payment or on July 1, 1948, whichever date is later, to stockholders of record at the close of business on the 10th day after the date of such order (or if such 10th day is not a business day, the first business day following such 10th day) or on June 11, 1948, whichever date is later.

The applicant requests that the Commission's order be issued herein on or before June 1, 1948, and become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4571; Filed, May 20, 1948;
8:46 a. m.]

[File No. 70-1807]

AMERICAN POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND ORDER GRANTING APPLICATION FOR AN EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of May A. D. 1948.

American Power & Light Company ("American"), a subsidiary of Electric Bond and Share Company, both registered holding companies, having filed a declaration, and amendments thereto, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50 thereunder with respect to the following proposed transactions:

American owns \$2,100,000 in principal amount of First Mortgage Bonds, 3¼% Series, due 1977 of Pacific Power & Light Company, an electric utility subsidiary of American. American proposes to sell to non-affiliated interests, said \$2,100,000 in principal amount of bonds and apply the proceeds toward the purchase of additional shares of common stocks of certain other subsidiaries or in the making of capital contributions to such other subsidiaries. American requests that the proposed sale be exempted from the competitive bidding requirements of Rule U-50. In connection with the proposed sale American may employ an investment banking house to find a purchaser or purchasers for the bonds and pay such investment banking house a finder's fee estimated at not to exceed ¼ of 1% of the principal amount of the bonds; and

American having requested that any order of the Commission entered herein approving such proposed sale by American recite that such sale is necessary or appropriate to the integration or simplification of the holding company system of which American is a member and necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) thereof and Supplement R thereto; and

American having further requested that the Commission's order herein be entered as soon as may be practicable and become effective upon issuance; and

Said declaration having been filed on April 2, 1948, and the last amendment thereto having been filed on May 1, 1948, and notice of said filing having

been given in the form and manner prescribed in Rule U-23 promulgated under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that such declaration should be permitted to become effective subject to the imposition of certain conditions as set out hereinafter, to which the declarant has expressly assented; and, deeming it appropriate to grant the requested exemption of the proposed sale from the competitive bidding requirements of subparagraphs (b) and (c) of Rule U-50 and, to grant the request of declarant that the order herein become effective at the earliest date practicable; and, finding that the proposed sale of the said bonds is a step in compliance with this Commission's order of August 22, 1942 for American's dissolution under section 11 (b) (2) of the act:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the following additional conditions:

1. That the sale of said bonds of Pacific Power & Light Company by American shall not be consummated until a further order shall have been entered by the Commission in light of the record as completed with respect to the maintenance of competitive conditions and the results of negotiation, including the price to be paid American and any finders' or underwriters' fees or commissions.

2. That jurisdiction be reserved with respect to all other fees and expenses incurred or to be incurred in connection with the proposed transactions.

It is further ordered, That the application of American for an exemption from the competitive bidding requirements of subparagraphs (b) and (c) of Rule U-50 with respect to the sale of said bonds be, and the same hereby is, granted.

It is further ordered and recited, That the transactions proposed, namely the sale of \$2,100,000 principal amount of First Mortgage Bonds, 3¼% Series, due 1977, of Pacific Power & Light Company by American, are necessary or appropriate to the integration and simplification of the holding company system of which American is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4574; Filed, May 20, 1948;
8:47 a. m.]

[File No. 70-1815]

CONSUMERS POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of May 1948.

Consumers Power Company ("Consumers"), a public utility subsidiary of The Commonwealth & Southern Corporation, a registered holding company, having filed an application-declaration and amendments thereto, pursuant to sections 6, 7 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-23, U-42, U-50 and U-62 promulgated thereunder relating to the transactions summarized below:

Consumers proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, 200,000 shares of its authorized preferred stock without par value and with an involuntary liquidation value of \$100 per share. The dividend rate, which shall not exceed \$5 per annum (but shall not be \$4.50, the rate on the outstanding preferred stock), and the price to be paid to Consumers, which shall not be less than \$100 nor more than \$102.75 per share, plus accrued dividends to the date of purchase, are to be determined by competitive bidding. The proceeds from the sale of the new preferred stock will be used by Consumers for the acquisition of property, the construction, completion, extension or improvement of facilities or for the improvement or maintenance of service, or for the discharge or lawful refunding of obligations, or to reimburse its treasury for expenditures made for such purposes.

Consumers also proposes to amend its Certificate of Organization prior to the issuance of the new preferred stock. Such amendment will include, among others, a provision which states in substance that except as otherwise authorized by consent of the holders of at least two-thirds of the outstanding shares of the preferred stock, irrespective of class, the payment of dividends on the company's common stock shall be subject to the following limitations: (a) common stock dividends shall not exceed 50% of the net income available therefor whenever common stock and surplus becomes less than 20% of total capitalization and surplus, (b) such dividends shall not exceed 75% of such net income whenever common stock and surplus becomes less than 25% but is equal to or greater than 20% of total capitalization and surplus, and (c) except to the extent permitted under (a) and (b) above, Consumers shall not pay any common stock dividends which would reduce common stock and surplus to less than 25% of the total capitalization and surplus.

The proposed amendment to the Certificate of Organization also includes a provision designed to vest in the Board of Directors the authority to determine, by amendment to the by-laws, the terms and conditions, if any, of any sinking or purchase fund for the shares of any particular class of preferred stock to be issued thereafter. Upon obtaining such

authority the Board of Directors proposes to establish a purchase fund with respect to the new preferred stock. The stated effect of such purchase fund will be, generally, to require the company to endeavor to purchase annually, commencing in 1949, at prices not exceeding the initial public offering price thereof plus accrued dividends, 2% of the maximum number of shares of the new preferred stock at any one time issued and outstanding.

Consumers requests approval of the solicitation of its preferred and common-stock holders for proxies in connection with the proposed amendment of its Certificate of Organization.

Said application-declaration having been filed on April 13, 1948, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Consumers, in view of its proposal to incorporate the aforementioned dividend restriction in the Certificate of Organization, having requested that the condition in the Commission's orders dated August 30, 1945 and September 11, 1947 (Holding Company Act Releases Nos. 6024 and 7711), which condition, in substance, limits cash dividends on the common stock of Consumers to an amount which would not exceed 75% of net income if the common stock equity is less than 25% of total capitalization and surplus, shall cease to be effective upon the taking effect of the proposed dividend restriction in the Certificate of Organization; and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said application-declaration, as amended, that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective and that the company's request that the order become effective forthwith be granted:

It is hereby ordered, That, pursuant to Rule U-23, said application-declaration, as amended, be, and the same is hereby granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed issuance and sale of the new preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may be deemed appropriate, for which purpose jurisdiction is hereby reserved.

It is further ordered, That the aforementioned condition in the Commission's orders dated August 30, 1945 and September 11, 1947 which restricts the pay-

ment of dividends on Consumers' common stock shall cease to be effective upon the taking effect of the proposed dividend restriction in the aforementioned Certificate of Organization of Consumers.

Consumers having requested that the Commission's Order herein permit the operation of the proposed purchase fund without the necessity for further proceedings under the act or the rules thereunder, and it appearing that future acquisitions of ----% preferred stock pursuant to said purchase fund may appropriately be exempted, pursuant to Rule U-100 (a), from the provisions of Rule U-42 or of any similar rule or regulation, subject to the conditions stated herein-after;

It is further ordered, That so long as any shares of the ----% preferred stock herein proposed to be issued and sold remain outstanding, and notwithstanding the requirements of Rule U-42 (or of any similar rule or regulation relating to the acquisition of capital stock by a registered holding company or subsidiary thereof promulgated by the Commission under the provisions of the Public Utility Holding Company Act of 1935), the acquisition in any calendar year of such number of shares of the ----% preferred stock as may be necessary to meet the purchase fund requirement for such year, be and it hereby is exempted from the provisions of any such rule: *Provided, however*, That this exemption shall not be applicable at any time that dividends on any series of preferred stock of any class are in arrears: *And provided further*, That said exemption is conditioned upon Consumers' reporting to the Commission within a period of thirty days after December 31 of each calendar year the number of shares of the ----% preferred stock purchased in each month of said year pursuant to the provisions of said purchase fund, the prices at which such shares were purchased, and whether such shares were purchased on a national securities exchange, in the open market, or through tenders.

It is further ordered, That jurisdiction be, and the same hereby is, reserved, with respect to the fees and expenses in connection with the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.[F. R. Doc. 48-4572; Filed, May 20, 1948;
8:46 a. m.]

[File No. 70-1820]

NATIONAL GAS & OIL CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 17th day of May A. D. 1948.

Notice is hereby given that an application has been filed with this Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 by National Gas & Oil Corporation ("Gas & Oil"), a nonutility subsidiary company of National Gas & Electric Cor-

poration, a registered holding company, for exemption from the provisions of section 6 (a) and 7 of the act in respect of certain proposed transactions.

Notice is further given that any interested person may, not later than May 28, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 2d Street, NW., Washington 25, D. C. At any time after May 28, 1948, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Gas & Oil proposes to issue and sell to commercial banks, from time to time within the next 12 months following the effective date of the Commission's order granting said application, its promissory note or notes in amounts not to exceed in the aggregate \$350,000, which amount is to include the company's presently outstanding bank loan in the amount of \$115,000. The proposed note or notes are to bear interest at a rate not to exceed 4 percent per annum and are to mature not later than one year from the date of issuance.

Gas & Oil is engaged in the production, purchase, and sale of natural gas, principally to industrial consumers, and in the production and sale of crude oil. The proposed additional funds are stated to be necessary in order to continue the development program of the applicant's natural gas and oil reserves.

Applicant requests that the Commission's order granting said application be issued as soon as practicable.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4570; Filed, May 20, 1948;
8:46 a. m.]

[File No. 70-1823]

AMERICAN POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of May 1948.

American Power & Light Company ("American"), a subsidiary of Electric Bond and Share Company, both registered holding companies, having filed a declaration, and an amendment thereto, under the Public Utility Holding Company Act of 1935, particularly section 12 (f) thereof and Rule U-45 thereunder,

regarding the following proposed transaction:

American proposes to make an investment as a cash contribution to the capital of its wholly owned registered holding company subsidiary, Texas Utilities Company ("Texas Utilities"), in the amount of \$9,237,520. Texas Utilities will use said cash contribution to repay loans from banks in the amount of \$8,500,000 and to reimburse its treasury for funds heretofore invested in the equities of its subsidiaries; and

American having requested that the Commission's order herein recite that the investment by American of \$9,237,520 as a contribution to the capital of Texas Utilities is necessary or appropriate to the integration or simplification of the holding company system of which American is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof; and

American having requested that the Commission's order herein be entered as soon as may be practicable and become effective upon issuance; and

Said declaration having been filed on April 26, 1948, and the last amendment thereto having been filed on May 5, 1948, and notice of said filing having been given in the form and manner prescribed in Rule U-23 promulgated under said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that said declaration, as amended, should be permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and finding further that said proposed capital contribution by American to Texas Utilities is a step in compliance with this Commission's order of August 22, 1942, for American's dissolution under section 11 (b) (2) of the act:

It is ordered, Pursuant to Rule U-23

Dated	Drawer	Payee	Amount
Mar. 10, 1939	Trustees of Series 59-B	Martha Uhlmann	\$33.75
Do.	do.	do.	\$80.00
Mar. 4, 1944	Hudson-Harlem Valley Servicing Corp.	do.	8.29
Sept. 5, 1946	do.	do.	1.13

and presently in the possession of the aforesaid Hudson-Harlem Valley Servicing Corp., together with any and all accruals thereto, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, and any and all rights in, to and under including particularly but not limited to, the right to possession and presentation for collection and payment of the aforesaid checks,

is property within the United States owned or controlled by, payable or de-

and the applicable provisions of said act, that said declaration, as amended, be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered and recited, That the transaction proposed, namely, the cash contribution by American to the capital of Texas Utilities in the amount of \$9,237,520 is necessary or appropriate to the integration and simplification of the holding company system of which American is a member and is necessary or appropriate to the effectuation of the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4573; Filed, May 20, 1948;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11147]

MARTHA UHLMANN

In re: Debts owing to Martha Uhlmann. F-28-28825-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martha Uhlmann, whose last known address is 18 Ratsweinberg, 10-A Meissen, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations owing to Martha Uhlmann by the Trustees of Westchester Title & Trust Company, Series 59-B, in liquidation, and/or Hudson-Harlem Valley Servicing Corp., 175 Main Street, White Plains, New York, Servicing Agent for the aforesaid Trustees, evidenced by four checks described as follows:

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

NOTICES

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4596; Filed, May 20, 1948;
8:53 a. m.]

[Vesting Order 11154]

ELSE GUTHEIM

In re: Bank accounts and bonds owned by Else Guthem. F-28-5970.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Else Guthem, whose last known address is 8 Speldorferstrasse, Dusseldorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of City Bank Farmers Trust Company, 22 William Street, New York, New York, arising out of an income account, account number 1175443, entitled City Bank Farmers Trust Company, as Trustee for Karl W. Neuhoff under agreement January 29, 1934—share of Else Guthem, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of City Bank Farmers Trust Company, 22 William Street, New York, New York, arising out of a principal account, account number 11754403, entitled City Bank Farmers Trust Company, as Trustee for Karl W. Neuhoff under agreement January 29, 1934—share of Else Guthem, and any and all rights to demand, enforce and collect the same, and

c. United States Treasury Certificates of Indebtedness, Series E, of \$8,000.00 total face value, bearing the numbers 16110, 16111 and 16112 for \$1,000.00 each and number 8453 for \$5,000.00, presently in the custody of City Bank Farmers Trust Company, 22 William Street, New York, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Else Guthem,

the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4597; Filed, May 20, 1948;
8:53 a. m.]

[Vesting Order 11163]

ALOIS ALGER

In re: Stock owned by Alois Alger. F-28-22752-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alois Alger, whose last known address is Oberschonegg No. 57, c/o Babenhause, Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Ten (10) shares of no par value First Preferred capital stock and ten (10) shares of no par value common capital stock of United States and International Securities Corporation, 921 Bergen Avenue, Jersey City 6, New Jersey, a corporation organized under the laws of the State of Maryland, evidenced by certificates numbered 6450 and NCO-6478, respectively, registered in the name of Alois Alger, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Alois Alger, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as

a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4598; Filed, May 20, 1948;
8:53 a. m.]

[Vesting Order 11165]

PAUL ALEMANN

In re: Stock owned by Paul Alemann. F-28-35-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul Alemann, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: One hundred (100) shares of \$1.00 par value common capital stock of General Realty & Utilities Corporation, 235 Madison Avenue, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered 11551, registered in the name of Paul Alemann, together with all declared and unpaid dividends thereon, and any and all rights to receive one-half (½) share of \$0.10 par value capital stock (new) for each share of \$1.00 par value common capital (old) stock, under a recapitalization and merger plan of September 1944, of the aforesaid corporation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4599; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11175]

MRS. WILHELMINA KLEIN

In re: Bonds owned by Mrs. Wilhelmina Klein also known as Minnie Klein. F-28-28888-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Wilhelmina Klein also known as Minnie Klein, whose last known address is (21 b) Olpe Westfalen, An der Eichhardt, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Twenty-one (21) United States of America Defense Savings Bonds, Series E, each of \$25.00 maturity value, registered in the name of John Klein, 1250 Warner St., N. S. Pgh., Pa., payable on death to Mrs. Minnie Klein, bearing the numbers set forth below:

Q 26 781 948E	Q 78 083 094E
Q 26 781 949E	Q 90 912 167E
Q 27 357 629E	Q 99 824 483E
Q 36 600 160E	Q 110 038 209E
Q 36 600 161E	Q 112 509 193E
Q 43 095 677E	Q 141 686 526E
Q 59 750 244E	Q 144 164 918E
Q 62 465 888E	Q 144 164 932E
Q 68 619 327E	Q 144 164 925E
Q 78 083 101E	Q 158 679 457E
Q 78 083 095E	

and presently in the custody of Potter Title and Trust Company, 4th Avenue and Grant St., Pittsburgh, Pennsylvania, together with any and all rights thereunder and thereto, and

b. One (1) United States Savings Bond, Series E, of \$100.00 maturity value, bearing the number C 34 624 239E, registered in the name of John Klein, 1250 Warner St., N. S. Pgh., Pa., payable on death to Mrs. Minnie Klein, and presently in the custody of Potter Title and Trust Company, 4th Avenue and Grant St., Pittsburgh, Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account

of, or owing to, or which is evidence of ownership or control by, Mrs. Wilhelmina Klein also known as Minnie Klein, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4600; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11185]

KARL STARK

In re: Debt owing to Karl Stark. F-28-26067-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Stark, whose last known address is Adolf Hitlerstr., Gotenhafen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, representing the proceeds of coupons detached from The Republic of Estonia 7% 1927 bonds numbered 2977, 2579, 2482, 2970, 1953, 1399, 1773, 1630, 1626, 1397, 0137/40, 3410, 2735, 1954, 1154, 2632, 3409, 0340, 2511, 0011/3 and 3532/6, in the amount of \$1,854.07, as of December 31, 1945, presently on deposit in the aforesaid bank in a General Ruling #6 account entitled A/B Goteborgs Handelsbank, Stockholm, Sweden, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Karl

Stark, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4601; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11202]

UMON TAKAHASHI

In re: Bank accounts owned by Umon Takahashi. D-39-396-C-1, D-39-396-E-1, D-39-396-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Umon Takahashi, whose last known address is 97 Izumimachi, Suginami-ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Umon Takahashi, by Bishop National Bank of Hawaii, King and Bishop Streets, Honolulu 1, T. H., arising out of a savings account, Account Number 39905, entitled Umon Takahashi, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Umon Takahashi, by Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 144429, entitled Umon Takahashi, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

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and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4602; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11210]

CHIKAYOSHI HAGIWARA

In re: Rights of Chikayoshi Hagiwara under insurance contract. File No. F-39-53-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Chikayoshi Hagiwara, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9,181,091, issued by the New York Life Insurance Company, New York, New York, to Chikayoshi Hagiwara, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4603; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11211]

MRS. RIU KAWAOKA

In re: Rights of Mrs. Riu Kawaoka under insurance contract. File No. D-39-6921-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Riu Kawaoka, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1060421, issued by the Sun Life Assurance Company of Canada, Dominion Square, Montreal, Quebec, Canada, to Mrs. Riu Kawaoka, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4604; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11213]

MATAJI RIKIMARU

In re: Rights of Mataji Rikimaru under insurance contract. File No. D-39-550-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mataji Rikimaru, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7,970,466, issued by the New York Life Insurance Company, New York, New York, to Mataji Rikimaru, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4605; Filed, May 20, 1948;
8:54 a. m.]

[Vesting Order 11214]

FREDERICK W. SCHERER

In re: Estate of Frederick W. Scherer, deceased. File No. F-28-19692; E. T. sec. 14734.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth Mentha, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Frederick W. Scherer, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by the Easton National Bank, as executor, acting under the judicial supervision of the Orphans' Court of Northampton County, Easton, Pennsylvania;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4606; Filed, May 20, 1948;
8:55 a. m.]

[Vesting Order 10070, Amdt.]

JOSEPH WITTKOPP and WALTER J. HEBESTREIT

In re: Stock owned by Joseph Wittkopp and stock owned by and debt owing to Walter J. Hebestreit, also known as Walter J. Heberstreit. F-28-25733-D-1, F-28-22305-D-1/3.

Vesting Order 10070, dated October 20, 1947, is hereby amended as follows and not otherwise:

By deleting subparagraph 3-a therefrom and substituting therefor the following:

a. Seven (7) shares of no par value \$5 series preferred capital stock of General Motors Corporation, 1775 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number A12451, registered in the name of

Walter J. Hebestreit, together with all declared and unpaid dividends thereon.

All other provisions of said Vesting Order 10070 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4607; Filed, May 20, 1948;
8:55 a. m.]

[Vesting Order 10640, Amdt.]

DEUTSCHE BANK FILIALE ELBERFELD

In re: Debt owing to and stock and bonds owned by Deutsche Bank Filiale Elberfeld.

Vesting Order 10640, dated February 5, 1948, is hereby amended as follows and not otherwise:

a. By deleting from Exhibit A, attached to and by reference made a part of the aforesaid Vesting Order 10640, the certificate number 5760, set forth with respect to $\frac{1}{2}$ th of a share of \$5.00 par value capital stock of the Consolidated Coppermines Corporation, registered in the names of Elise Kollmeyer, Pauline Kollmeyer and Emma Kollmeyer Koch, and substituting therefor the certificate number S 760, and

b. By deleting from Exhibit A, attached to and by reference made a part of the aforesaid Vesting Order 10640, the par value of \$100.00, set forth with respect to 168 shares of the capital stock of The Northwest Oil Co., registered in the name of the Continental and Commercial Trust and Savings Bank, as Trustee under the Will of Henry L. Kollmeyer, deceased, and substituting therefor the par value of \$1.00.

All other provisions of said Vesting Order 10640 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Claimant	Claim No.	Property
Walter Hinrichsen, 354 West Windsor Ave., Lombard, Ill. Max Hinrichsen, 25 Museum St., London W. C. 1, England. Robert Harris (Hinrichsen), The Haven Shrewsbury Road, Church Streeton, Shropshire, England. Charlotte Sobernheim (nee Hinrichsen), The Haven Shrewsbury Road, Church Streeton, Shropshire, England. Ilse Frankenthal (nee Hinrichsen), 122 Hansberg, Brunssum (Limburg) Holland.	1727	\$8,823.17 in the Treasury of the United States. Property to the extent owned by C. F. Peters immediately prior to the vesting thereof, described in Vesting Order No. 2116 (9 F. R. 1466, February 4, 1944) relating to compositions listed in the catalogues "Selected Works, Orchestra Works, Choral Works" and "Selected Works 1939/40", (attached as Exhibit A of said vesting order) including all rental materials pertaining thereto now in the possession of Clayton F. Summy Company, Chicago, Illinois.

Executed at Washington, D. C., on May 17, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4610; Filed, May 20, 1948;
8:55 a. m.]

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4608; Filed, May 20, 1948;
8:55 a. m.]

[Vesting Order 10721, Amdt.]

LAMBERT KLEIN, JR., AND WILFRED KLEIN

In re: Voting trust certificates and bonds owned by and debt owed to Lambert Klein, Jr., and Wilfred Klein.

Vesting Order 10721, dated February 16, 1948, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2b of the aforesaid Vesting Order 10721, the number "D-11828" and substituting therefor the number "2068".

All other provisions of said Vesting Order 10721 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4609; Filed, May 20, 1948;
8:55 a. m.]

WALTER HINRICHSEN ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Walter Hinrichsen, 354 West Windsor Ave., Lombard, Ill. Max Hinrichsen, 25 Museum St., London W. C. 1, England. Robert Harris (Hinrichsen), The Haven Shrewsbury Road, Church Streeton, Shropshire, England. Charlotte Sobernheim (nee Hinrichsen), The Haven Shrewsbury Road, Church Streeton, Shropshire, England. Ilse Frankenthal (nee Hinrichsen), 122 Hansberg, Brunssum (Limburg) Holland.	1727	\$8,823.17 in the Treasury of the United States. Property to the extent owned by C. F. Peters immediately prior to the vesting thereof, described in Vesting Order No. 2116 (9 F. R. 1466, February 4, 1944) relating to compositions listed in the catalogues "Selected Works, Orchestra Works, Choral Works" and "Selected Works 1939/40", (attached as Exhibit A of said vesting order) including all rental materials pertaining thereto now in the possession of Clayton F. Summy Company, Chicago, Illinois.

FILING CLAIMS IN RESPECT OF CERTAIN DEBTORS

ORDER EXTENDING TIME FIXED BY BAR ORDER NO. 1

In accordance with section 34 (d) of the Trading with the Enemy Act, as amended, and by virtue of the authority vested in the Attorney General by said

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act and Executive Order 9788, the time fixed by Bar Order No. 1 (12 F. R. 1448, March 1, 1947; 12 F. R. 3394, May 24, 1947; 12 F. R. 3798, August 25, 1947) for the filing of debt claims in respect of debtors any of whose property was vested in or transferred to the Alien Property Custodian or the Attorney General between December 18, 1941 and December 31, 1946, inclusive, is hereby extended to August 8, 1948, except for the filing of claims in respect of those debtors for whom earlier bar dates have been previously fixed (September 2, 1947 in respect of debtors listed in Appendix A of order extending Bar Order No. 1, dated August 25, 1947, 12 F. R. 5798; December 17, 1947 in respect of debtors listed in Appendix A of Bar Order No. 2, dated October 9, 1947, 12 F. R. 6778; February 25, 1948 in respect of debtors listed in Appendix A of Bar Order No. 3, dated December 16, 1947, 12 F. R. 8714; and May 20, 1948 in respect of debtors listed in Appendix A of Bar Order No. 4, dated March 10, 1948, 13 F. R. 1355).

Executed at Washington, D. C., this 18th day of May 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4612; Filed, May 20, 1948;
8:55 a. m.]

LORE KAHN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property and Location
Lore Kahn nee Laura Hoefflich, Albuquerque, N. Mex. and Chicago, Ill.	6851	All right, title, interest and claim of any kind or character whatsoever of Dina (Diana) Hoefflich (Hoefflich) in and to the estate of Ernestine Hexter, deceased, \$1,220.98 in the Treasury of the United States.

Executed at Washington, D. C., on May 17, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4611; Filed, May 20, 1948;
8:55 a. m.]

[Vesting Order 11224]

EUGEN HOERNER, G. M. B. H. AND HEINRICH F. BODE

In re: Debts owing to Eugen Hoerner, G. m. b. H. also known as Eugene Hoerner, G. m. b. H. and Heinrich F. Bode. F-28-23768-C-1, F-28-1968-C-1, F-28-1968-C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eugene Hoerner, G. m. b. H. also known as Eugene Hoerner, G. m. b. H., the last known address of which is Karlstrasse 72, Heilbronn a/n, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Heinrich F. Bode, whose last known address is Hamburg 1, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to Heinrich F. Bode, by Walter C. Cox, 208 S. La Salle Street, Suite 1800-06, Chicago 4, Illinois, in the amount of \$148.15, as of November 7, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Heinrich F. Bode, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows: That certain debt or other obligation owing to Eugen Hoerner, G. m. b. H. also known as Eugene Hoerner, G. m. b. H., by Walter C. Cox, 208 S. La Salle Street, Suite 1800-06, Chicago 4, Illinois, in the amount of \$100.13, as of November 1, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eugen Hoerner, G. m. b. H. also known as Eugene Hoerner, G. m. b. H., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be

treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4539; Filed, May 19, 1948;
8:53 a. m.]

[Vesting Order 11226]

ANGELICA SCHILLING

In re: Bank account owned by Angelica Schilling. F-28-28925-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Angelica Schilling, whose last known address is Guttentag O/S, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Central Savings Bank in the City of New York, Broadway at 73d Street, New York 23, New York, arising out of a savings account, account number 1,109,300, entitled Angelica Schilling in trust for Caroline Schmidt, maintained at the branch office of the aforesaid bank located at 4th Avenue and 14th Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Angelica Schilling, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

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There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 48-4540, Filed, May 19, 1948;
8:53 a. m.]

